

PLAINTIFFS

**DEFENDANTS**

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Helen Politz - 03/24/09

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<p>1 Elizabeth M. Locke, Esq. Kirkland &amp; Ellis LLP 2 655 Fifteenth Street, N.W. Washington, DC 20005-5793</p> <p>3 4 COUNSEL FOR DEFENDANTS</p> <p>5 6 ALSO PRESENT: Robert Branning, Videographer</p> <p>7 8 9 REPORTED BY: Lori W. Busick, CSR Brooks Court Reporting, Inc. Post Office Box 2632 10 Jackson, Mississippi 39207 (601) 362-1995</p> <p>11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p>1 VIDEOGRAPHER: Good morning. This is the 2 video deposition of Helen Politz, close enough, 3 taken by the counsel for the defense in the matter 4 Politz, et al, versus Nationwide Insurance Company 5 in the United States District Court for the Southern 6 District, case number 1:08CV18LTS-RHW, held at the 7 offices of Ray Murray on the 24th day of March of 8 2009. The time now is 8:52 and counsel may 9 introduce themselves.</p> <p>10 MR. CARTER: Kris Carter on behalf of 11 Mrs. Politz.</p> <p>12 MRS. LOCKE: Libby Locke on behalf of 13 Nationwide Insurance Company.</p> <p>14 VIDEOGRAPHER: The court reporter will now 15 swear in the witness.</p> <p>16 17 HELEN POLITZ, 18 having been first duly sworn, was examined and 19 testified as follows: 20</p> <p>21 EXAMINATION BY MRS. LOCKE:</p> <p>22 Q. Good morning, Mrs. Politz. 23 A. Good morning. 24 Q. It's nice to see you again. 25 A. Thank you.</p>
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<p>1 INDEX</p> <p>2 Style and Appearance.....1 3 Certificate of Deponent.....142 4 Certificate of Court Reporter.....143</p> <p>5 6 EXAMINATIONS</p> <p>7 Examination by Mrs. Locke.....4 8 Examination by Mr. Carter.....141</p> <p>9 10 EXHIBITS</p> <p>11 243 SBA Second Modification Notice .....8 12 244 SBA Letter .....12 13 245 Prudential Gardner Realtors .....22 14 246 SBA Letter .....27 15 247 SBA Letter - August 6, 2007 .....30 16 226 Contents List .....40 17 223 Receipts .....70 18 248 Mini Warehouse Receipt .....128 19 225 Receipts .....130</p> <p>20 21 22 23 24 25</p>	<p>1 Q. As you recall, we started the deposition 2 back in November and I asked you questions. And 3 this is, just to explain to process, we have 4 reopened that deposition because we've received new 5 materials from your lawyers. And so we're here 6 today to ask you about these new materials that 7 we've gotten since your last deposition. And some 8 -- some issues in the last deposition that we were 9 not able to resolve because of these new materials.</p> <p>10 A. Okay. Hopefully I can be helpful in that.</p> <p>11 Q. Just for the record, can you state your 12 full name?</p> <p>13 A. Helen Jeanette Politz.</p> <p>14 Q. So I know that we've done this before, but 15 just to refresh your memory. I'm going to go over 16 some ground rules for the deposition today to make 17 things go smoothly and more quickly.</p> <p>18 A. Okay.</p> <p>19 Q. My job is to ask you questions that you 20 can hear and that you can understand; is that fair?</p> <p>21 A. That's fair.</p> <p>22 Q. Your job today is to answer those 23 questions as completely and truthfully as you can 24 do; is that fair?</p> <p>25 A. That's fair.</p>

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<p>1 Q. Let me know if you don't understand or if</p> <p>2 you can't hear a question that I've asked.</p> <p>3 A. Okay.</p> <p>4 Q. But if you answer a question that I've</p> <p>5 posed I'm going to assume that you've heard it and</p> <p>6 understood the question; is that fair?</p> <p>7 A. Fair.</p> <p>8 Q. You need to answer out loud. We have</p> <p>9 videographer and court reporter. And the court</p> <p>10 reporter will be taking down everything that you</p> <p>11 say. So nonverbal answers like head nods will be</p> <p>12 difficult for her to transcribe; is that fair?</p> <p>13 A. That's fair.</p> <p>14 Q. Let me know -- in addition to that and to</p> <p>15 help the court reporter, if you would let me -- I</p> <p>16 know sometimes my questions are going to be very</p> <p>17 obvious to you, but if you would let me complete my</p> <p>18 question. And then I will let you give a full</p> <p>19 response and complete your answer before I ask the</p> <p>20 next question; is that fair?</p> <p>21 A. That's fair.</p> <p>22 Q. Let me know if you need to take a break at</p> <p>23 any time. We can stop, that's not a problem. But</p> <p>24 what I would ask is that if I've asked you a</p> <p>25 question and you would like to take a break that you</p>	<p>1 counsel?</p> <p>2 Q. (By Mrs. Locke) Do you recognize your</p> <p>3 signature on this document?</p> <p>4 A. Yes.</p> <p>5 Q. Is that Mr. Politz's signature?</p> <p>6 A. Yes, it is.</p> <p>7 Q. Do you recognize this document?</p> <p>8 A. Well, I think so.</p> <p>9 Q. Okay. This document as you will see has a</p> <p>10 table in it, which -- which has rows and columns.</p> <p>11 And in the very first column it says original note</p> <p>12 and it has the date December 21, 2005; do you see</p> <p>13 that?</p> <p>14 A. Yes.</p> <p>15 Q. And under that note it says the note</p> <p>16 amount is \$234,000; do you see that?</p> <p>17 A. Correct. Yes.</p> <p>18 Q. Does that -- is that consistent with your</p> <p>19 memory and understanding of what the original SBA</p> <p>20 loan amount you and Mr. Politz took out?</p> <p>21 A. Yes.</p> <p>22 Q. And your original payments were \$991 per</p> <p>23 month; is that correct?</p> <p>24 A. Yes.</p> <p>25 Q. If you look at the second column over it</p>
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<p>1 would answer the question that I've asked before we</p> <p>2 break; is that fair?</p> <p>3 A. Yes.</p> <p>4 Q. Is there any reason you're unable to give</p> <p>5 full and truthful answers today to my questions?</p> <p>6 A. Not to my knowledge.</p> <p>7 Q. Are you taking any medications that would</p> <p>8 prevent you from telling the truth today?</p> <p>9 A. No.</p> <p>10 Q. During our deposition in November we</p> <p>11 established that you had received an SBA loan; is</p> <p>12 that correct?</p> <p>13 A. Correct.</p> <p>14 Q. And we were trying to establish during</p> <p>15 that deposition the amounts of the SBA loan.</p> <p>16 Because at some point you had taken on more SBA</p> <p>17 money; is that correct?</p> <p>18 A. Correct.</p> <p>19 Q. I'm going hand you a document which has</p> <p>20 been marked Defense Exhibit 43. I'm sorry, Defense</p> <p>21 Exhibit 243.</p> <p>22 (Exhibit 243 marked for identification.)</p> <p>23 MR. CARTER: Can I see that please.</p>	<p>1 says first modification, July 12, 2006; do you see</p> <p>2 that?</p> <p>3 A. Yes.</p> <p>4 Q. And then it says the note amount is</p> <p>5 \$215,000; do you see that?</p> <p>6 A. Yes.</p> <p>7 Q. With a monthly note of \$902; do you see</p> <p>8 that?</p> <p>9 A. Yes.</p> <p>10 Q. Is this consistent with your memory of a</p> <p>11 modification that you made on the SBA loan?</p> <p>12 A. I'm not sure.</p> <p>13 Q. Do you have any reason to dispute that</p> <p>14 this is incorrect?</p> <p>15 A. No.</p> <p>16 Q. If you look at the final column it says</p> <p>17 this modification March 26, 2007, and the note</p> <p>18 amount is \$340,300; do you see that?</p> <p>19 A. Yes.</p> <p>20 Q. And your monthly note is \$876; do you see</p> <p>21 that?</p> <p>22 A. Yes.</p> <p>23 Q. Is this consistent with your recollection</p> <p>24 that you made a modification to incorporate your</p> <p>25 original loan at 116 Winters Lane into your SBA</p>

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<p>1 loan?</p> <p>2 A. Yes.</p> <p>3 Q. And is this the -- the \$340,300, is that</p> <p>4 consistent with your memory of the amount of your</p> <p>5 SBA loan?</p> <p>6 A. Yes.</p> <p>7 Q. Moving back to the middle column where it</p> <p>8 says first modification July 12th. Do you have any</p> <p>9 recollection of making that change from 234,000 to</p> <p>10 \$215,000 on an SBA loan?</p> <p>11 A. I remember some about it, I think. But I</p> <p>12 don't remember the exactness of it.</p> <p>13 Q. Do you recall why that modification was</p> <p>14 made?</p> <p>15 A. We talked about so many things I just -- I</p> <p>16 can't think of it right now.</p> <p>17 Q. Do you have any reason to dispute that the</p> <p>18 figures that are reflected on Defense Exhibit 243</p> <p>19 are accurate?</p> <p>20 A. No, I don't have any reason to dispute</p> <p>21 that.</p> <p>22 Q. You can set that aside for now.</p> <p>23 A. Okay.</p> <p>24 Q. I'm also going the hand you what's been</p> <p>25 marked as Defense Exhibit 244.</p>	<p>1 the letter is dated July 6, 2006?</p> <p>2 A. Yes.</p> <p>3 Q. And the letter is addressed to you and</p> <p>4 Mr. Politz?</p> <p>5 A. Yes.</p> <p>6 Q. Do you recognize this letter at all?</p> <p>7 A. I got so many of them, I don't remember</p> <p>8 for sure. I mean, I don't have a reason not to.</p> <p>9 Let me just read through it a little bit. (Peruses</p> <p>10 document.) Okay. Yes, I remember it now.</p> <p>11 Q. In the second paragraph the letter states,</p> <p>12 "We've approved your request to use SBA funds to</p> <p>13 relocate from 116 Winters Lane, Long Beach,</p> <p>14 Mississippi to 5519 Gates Avenue, Long Beach,</p> <p>15 Mississippi." The 5519 Gates Avenue address, is</p> <p>16 that a new home that you purchased?</p> <p>17 A. That's where I was living in the FEMA</p> <p>18 trailer.</p> <p>19 Q. The next paragraph says, "The purchase</p> <p>20 price of the new home is \$183,000?</p> <p>21 A. That's the one we brought in Gulfport.</p> <p>22 Q. So the Gates Avenue is not the \$183,000</p> <p>23 home?</p> <p>24 A. Oh, no. It was the FEMA trailer that I</p> <p>25 was lucky enough to find a place to get parked in</p>
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<p>1</p> <p>2 (Exhibit 244 marked for identification.)</p> <p>3</p> <p>4 THE WITNESS: Excuse me just a moment. It</p> <p>5 is getting very hot in here.</p> <p>6 MRS. LOCKE: Would you like to take a</p> <p>7 break and we can --</p> <p>8 THE WITNESS: Yeah.</p> <p>9 MRS. LOCKE: -- we can find out if we can</p> <p>10 --</p> <p>11 THE WITNESS: I was just wondering if we</p> <p>12 could have a little air. Are y'all warm?</p> <p>13 MRS. LOCKE: I'm okay, but I can certainly</p> <p>14 -- we can certainly take care of it. Why don't we</p> <p>15 go off the record for a second.</p> <p>16 VIDEOGRAPHER: Off record at 8:59.</p> <p>17</p> <p>18 (Off the record at 8:59.)</p> <p>19</p> <p>20 VIDEOGRAPHER: Back on record at</p> <p>21 nine o'clock.</p> <p>22 Q. (By Mrs. Locke) Before we went off the</p> <p>23 record Mrs. Politz I had handed you Defense</p> <p>24 Exhibit 244. This is a letter that Nationwide</p> <p>25 received from the SBA on your file. Do you see that</p>	<p>1 somebody's yard.</p> <p>2 Q. In the third paragraph it continues, "We</p> <p>3 understand that your total real estate insurance</p> <p>4 settlement for this loss was \$2,950." Do you know</p> <p>5 what money that is referring to?</p> <p>6 A. Ask the question again please.</p> <p>7 Q. Sure. In the third paragraph the second</p> <p>8 sentence reads, "We understand that your total real</p> <p>9 estate insurance settlement for this loss was</p> <p>10 \$2,950." Do you know what that number is referring</p> <p>11 to?</p> <p>12 A. Total insurance loss. No, I don't.</p> <p>13 Q. Did you report to the SBA that your total</p> <p>14 insurance proceeds from your claim on 116 Winters</p> <p>15 Lane was \$2,950?</p> <p>16 MR. CARTER: Object to form.</p> <p>17 A. I don't remember at this time.</p> <p>18 Q. (By Mrs. Locke) Is it possible that</p> <p>19 that's what you reported your insurance proceeds as?</p> <p>20 MR. CARTER: Object to form.</p> <p>21 A. It's possible.</p> <p>22 Q. (By Mrs. Locke) The paragraph continues,</p> <p>23 "SBA is prohibited from providing loan funds which</p> <p>24 duplicates compensation from other sources." Do you</p> <p>25 understand that SBA when granting you a loan amount</p>

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<p>1 will deduct insurance proceeds or any government 2 benefits that you receive from your -- from your 3 loan? 4 A. I do understand that. 5 Q. The paragraph continues, "The portion of 6 this recovery which duplicates -- which duplicates 7 must be deducted from your approved loan amount. 8 This provides net real estate insurance proceeds for 9 this project of \$2,950, which must be injected 10 first. The follow other source of funds must be 11 injected into this project prior to SBA funds; FEMA 12 replacement housing in the amount of \$10,500." Is 13 this consistent with your recollection that your 14 FEMA trailer costs approximately \$10,500? 15 MR. CARTER: Object to foundation. 16 A. They deducted it because they said I owed 17 that to MEMA and so they took it out. 18 MRS. LOCKE: Kris, are you going to be 19 foundation objections when you weren't part of the 20 original deposition? Because we did go through this 21 material in the original deposition. 22 MR. CARTER: I'm going to make my 23 objections. And if they're invalid because of 24 something you asked in the first deposition, then 25 you'll obviously win the issue in the court.</p>	<p>1 we looked at on Defense Exhibit 243. "As a result 2 your approved disaster loan is reduced to \$215,000." 3 Do you see that? The very first -- 4 A. Oh, yes. Yes. 5 Q. -- The very first sentence of the fourth 6 paragraph on -- 7 A. Okay, I got it. 8 Q. -- Defense Exhibit 244. Does this help 9 refresh your recollection as to -- 10 A. Yes. 11 Q. -- Can you explain to me why your loan 12 amount was reduced from 234,000 to \$215,000? 13 A. Because they kept some of for MEMA funds. 14 So that it wouldn't be a duplicate payment or 15 whatever. 16 Q. But wouldn't that -- I'm just, I guess I'm 17 a little confused here, maybe I'm misunderstanding. 18 But wouldn't that increase your loan amount if they 19 were deducting -- if they were deducting the amount 20 of benefits from your FEMA loan? 21 MR. CARTER: Object to foundation. 22 A. I don't remember all that at this point. 23 You know, it's been almost four years. 24 Q. (By Mrs. Locke) And I'm not trying to 25 trip you up or confuse you. I'm just trying to</p>
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<p>1 MRS. LOCKE: Okay. 2 MR. CARTER: But if not then my objections 3 were made. 4 MRS. LOCKE: But I hope that you will have 5 gone through the first transcript -- 6 MR. CARTER: Certainly I have. 7 MRS. LOCKE: -- so that we don't have to 8 keep going back and forth. 9 MR. CARTER: Certainly I have. I think 10 that you still haven't laid adequate foundation for 11 that question. 12 Q. (By Mrs. Locke) Therefore the last 13 sentence in the third paragraph on Defense Exhibit 14 244 says, "The available SBA funds for this project 15 are \$170,500." Do you see that? 16 A. Where was that? 17 Q. The very last sentence of the third 18 paragraph. "The available SBA funds for this 19 project" -- 20 A. Oh, yes, I see now. 21 Q. So you understand that SBA deducted the 22 \$10,500 as well as \$2,950 from the \$183,000 purchase 23 price of the home in Gulfport? 24 A. Yes. 25 Q. Now the fourth paragraph talks about what</p>	<p>1 understand why the loan amount went down? 2 A. Okay. 3 Q. If you -- if you turn to the second page 4 of Defense Exhibit 244. The very top of the page it 5 says paragraph five, "Use of proceeds. Your loan 6 authorization agreement is amended as follows." And 7 paragraph A states, "Approximately \$40,000 to repair 8 or replace disaster damage personal property 9 excluding motor vehicles in similar kind and 10 quality." Does this -- is this consistent with your 11 understand that you -- 12 A. Yes. It's what they allowed me to buy 13 furniture and home replacement supplies with. 14 Q. -- And then paragraph B talks again about 15 \$170,500 and this is the amount SBA permitted you to 16 purchase or construct real estate at the new home in 17 Gulfport, correct? 18 A. Right. 19 Q. Paragraph C states that SBA allowed \$3,500 20 to repair or replace disaster damaged landscaping; 21 do you see that? 22 A. Yes, I do. 23 Q. Was that for repairs to 116 Winters Lane? 24 A. No. That was for my new home in Gulfport. 25 Q. Did your -- did you own the new home in</p>

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<p>1 Gulfport during Hurricane Katrina?</p> <p>2 A. No.</p> <p>3 Q. Did it still have hurricane damage when</p> <p>4 you purchased it?</p> <p>5 A. No, they had fixed it.</p> <p>6 Q. Do you know why you would have received</p> <p>7 \$3,500 for your new home for hurricane damage?</p> <p>8 A. To the best of my understanding, they</p> <p>9 allowed that for ground repairs, anything that</p> <p>10 needed to be done in the yard that, you know, that</p> <p>11 was -- they divided it out and told me how to spend</p> <p>12 it. And so, I did a few things that had to be done</p> <p>13 in the yard with that money.</p> <p>14 Q. When you say you did a few things that had</p> <p>15 to be done in the yard, you're talking about the</p> <p>16 yard in Gulfport not in Long Beach; is that correct?</p> <p>17 A. I haven't done anything to the one in Long</p> <p>18 Beach except have it cleaned.</p> <p>19 Q. Is the slab still there?</p> <p>20 A. Yes, it is.</p> <p>21 Q. So you haven't removed the slab at all?</p> <p>22 A. No.</p> <p>23 Q. Finally it says, approximately \$1,000 for</p> <p>24 disaster clean-up and debris removal expenses</p> <p>25 incurred at the Long Beach address?</p>	<p>1 A. Yes.</p> <p>2 Q. Where it states prior to disbursement of</p> <p>3 loans in excess 10,000 borrower will purchase hazard</p> <p>4 insurance including fire lighting extending</p> <p>5 coverage, including wind storm coverage on the</p> <p>6 \$215,000 located at the Gates Avenue, Long Beach.</p> <p>7 Is it your understanding that the Gates Avenue Long</p> <p>8 Beach address probably should have been the Gulfport</p> <p>9 address of your new property?</p> <p>10 A. Yes.</p> <p>11 Q. Is there anything else that you see in</p> <p>12 this letter that you dispute?</p> <p>13 A. I feel that they were talking about the</p> <p>14 address at Gulfport.</p> <p>15 Q. Let me direct your attention to the very</p> <p>16 first page. And I think there might be something</p> <p>17 else that may be off and I just want to see if -- if</p> <p>18 you agree. Paragraph two at the very bottom of the</p> <p>19 page it says, collateral, your loan authorization</p> <p>20 and agreement as amended as follows. And if you</p> <p>21 look at B, it says deed of trust mortgage on real</p> <p>22 estate located at 5519 Gates Avenue, Long Beach.</p> <p>23 But you didn't have a mortgage or a deed of trust on</p> <p>24 the Gates Avenue property, correct?</p> <p>25 A. No.</p>
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<p>1 A. Yes.</p> <p>2 Q. And did you spend this thousand dollars to</p> <p>3 repair -- or I'm sorry, to --</p> <p>4 A. Not to repair, to have the bricks and big</p> <p>5 debris picked up. Yes, I did.</p> <p>6 Q. For the \$3,500 and the \$1,000 listed in</p> <p>7 paragraph C and D, did the SBA require you to</p> <p>8 provide receipts at all for this?</p> <p>9 A. No. They said they may come audit it</p> <p>10 later, but I haven't turned in receipts for it.</p> <p>11 Q. Do you have any reason to dispute the</p> <p>12 accuracy of what we've reviewed in Defense</p> <p>13 Exhibit 244?</p> <p>14 A. No.</p> <p>15 Q. If you could take a second to look at the</p> <p>16 remainder of Defense Exhibit 244 and tell me if</p> <p>17 there's anything in the letter which you believe is</p> <p>18 incorrect or inaccurate.</p> <p>19 MR. CARTER: Again, object to foundation.</p> <p>20 A. Yes. The 215,000 located at 5519 Gates</p> <p>21 Avenue, Long Beach. I didn't purchase any</p> <p>22 insurance, anything for that.</p> <p>23 Q. (By Mrs. Locke) So you're referring to</p> <p>24 the second page of Defense Exhibit 244, paragraph</p> <p>25 9A?</p>	<p>1 Q. Is it your understanding that that should</p> <p>2 have been the Gulfport address as well?</p> <p>3 A. Yes.</p> <p>4 Q. So other than substituting the Gates</p> <p>5 Avenue address for the Gulfport address, is there</p> <p>6 anything else that you dispute the accuracy of this</p> <p>7 letter?</p> <p>8 A. Not that I've noticed.</p> <p>9 Q. You can set that aside then.</p> <p>10 I'm going to hand you what's been marked</p> <p>11 as Defense Exhibit 245.</p> <p>12</p> <p>13 (Exhibit 245 marked for identification.)</p> <p>14</p> <p>15 Q. Do you know who Prudential Gardener</p> <p>16 Realtors is?</p> <p>17 A. It's one of the real estate agents around.</p> <p>18 Q. Do you have any relationship with</p> <p>19 Prudential Gardner Realtors?</p> <p>20 A. Oh, yeah. I used Prudential to buy my</p> <p>21 house through them. The real estate agent.</p> <p>22 Q. And this was used -- Prudential Gardner</p> <p>23 Realtors was used to purchase your house in</p> <p>24 Gulfport?</p> <p>25 A. Yes.</p>



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<p>1 Q. Do you know who Sabrina Redmon is?</p> <p>2 A. Yes, I do.</p> <p>3 Q. And --</p> <p>4 A. She was my real estate agent.</p> <p>5 Q. -- do you recognize her writing?</p> <p>6 MR. CARTER: Objection to foundation.</p> <p>7 A. I'm not sure if it's her writing or not.</p> <p>8 I never really looked at it to compare it against</p> <p>9 anything.</p> <p>10 Q. (By Mrs. Locke) Sure. Do you have any</p> <p>11 reason to dispute that this is her handwriting?</p> <p>12 A. No.</p> <p>13 MR. CARTER: Same objection.</p> <p>14 Q. (By Mrs. Locke) On the note section of</p> <p>15 the first page of Defense Exhibit 245 it states,</p> <p>16 "Here are the receipts for Mrs. Politz. Let me know</p> <p>17 if you need anything else. Thanks, Sabrina." And</p> <p>18 the letter, the fax is addressed to SBA; do you see</p> <p>19 that?</p> <p>20 A. On the first page?</p> <p>21 Q. On the first page the letter is addressed</p> <p>22 to a company SBA on the second line; do you see</p> <p>23 that?</p> <p>24 A. Oh, yeah.</p> <p>25 Q. And then in the notes section it states,</p>	<p>1 topsoil at Winters Lane?</p> <p>2 MR. CARTER: Object to form and</p> <p>3 foundation.</p> <p>4 A. I think he did do a little topsoil. I</p> <p>5 didn't ask him to. Because he said he was going to</p> <p>6 clean around the slab area and make it nice and</p> <p>7 through some seeds out so it could start shaping up.</p> <p>8 Yeah. And that was all in the \$1,000 for picking up</p> <p>9 the debris.</p> <p>10 Q. But you'd agree with me that this does not</p> <p>11 say removal of debris?</p> <p>12 MR. CARTER: Objection to form and</p> <p>13 foundation and to the extent it misstates the</p> <p>14 document.</p> <p>15 A. Well it says debris removal.</p> <p>16 Q. (By Mrs. Locke) No. You would agree me</p> <p>17 that D&amp;J Tree and Debris Removal is the name of the</p> <p>18 company, correct?</p> <p>19 MR. CARTER: Objection to the</p> <p>20 mischaracterization of the document and to your</p> <p>21 being argumentative with the witness. She just</p> <p>22 testified, it says debris removal. If counsel will</p> <p>23 look in the middle of the page.</p> <p>24 MRS. LOCKE: Oh, I apologize.</p> <p>25 MR. CARTER: It says debris removal right</p>
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<p>1 "Here are receipts from Mrs. Politz. Let me know if</p> <p>2 you need anything else. Thanks Sabrina; do you see</p> <p>3 that?</p> <p>4 A. Yes, I do.</p> <p>5 Q. If you could turn the page, second page of</p> <p>6 Defense Exhibit 245. Starting at the right side of</p> <p>7 the page there's receipt that says D&amp;J Tree and</p> <p>8 Debris Removal in the amount of \$1,000. Do you</p> <p>9 recognize this receipt?</p> <p>10 A. Yes.</p> <p>11 Q. Is this your signature at the bottom?</p> <p>12 A. Yes.</p> <p>13 Q. Can you explain to me what this receipt</p> <p>14 was for?</p> <p>15 A. Picking up -- he's the one that I hired to</p> <p>16 pick up the debris at Gate -- at Long Beach in the</p> <p>17 yard.</p> <p>18 Q. So this was a receipt for the Winters Lane</p> <p>19 property; is that correct?</p> <p>20 A. Yes.</p> <p>21 Q. The receipt says 3/31 06, 15 yards topsoil</p> <p>22 Bobcat work; do you see that?</p> <p>23 A. Yes.</p> <p>24 Q. Now, is it your understanding that he</p> <p>25 picked up debris or that he performed work on the</p>	<p>1 there and there's a check mark.</p> <p>2 MRS. LOCKE: I apologize. I didn't see</p> <p>3 that. So thank you very much for correcting me. I</p> <p>4 was looking at the top of the page.</p> <p>5 Q. (By Mrs. Locke) So it's your</p> <p>6 understanding that this was for both debris removal</p> <p>7 and topsoil work; is that correct?</p> <p>8 A. Yes.</p> <p>9 Q. Thank you. If you would turn the page so</p> <p>10 we could look at the next two receipts that are at</p> <p>11 the bottom.</p> <p>12 A. Okay.</p> <p>13 Q. The next receipt in the middle of the page</p> <p>14 is dated March 21, 2006 and it says received from</p> <p>15 Helen Politz for deed of trust SBA in the amount of</p> <p>16 \$17. Do you see that?</p> <p>17 A. Uh-huh (Affirmative Response.)</p> <p>18 Q. Do you recall receiving this receipt?</p> <p>19 A. Yes. I had to send in something \$17 for</p> <p>20 -- I guess it was a deed of trust is what it's for.</p> <p>21 But -- and I remember they sent me a receipt for it.</p> <p>22 Q. And then the very bottom receipt is dated</p> <p>23 May 5, 2006 in the amount of \$250 received from</p> <p>24 Mr. Politz for cert of title; do you see that?</p> <p>25 A. Yes. Certification of the title, uh-huh.</p>

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8 (Pages 26 to 29)

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<p>1 Q. Do you recall receiving this receipt as 2 well? 3 A. I don't recall it right now, but... 4 Q. Now, you testified earlier that you didn't 5 submit anything to SBA. Do you have any reason to 6 dispute that Sabrina Redmon submitted this on your 7 behalf? 8 MR. CARTER: Object to the extent it 9 mischaracterizes testimony. 10 A. No. 11 Q. (By Mrs. Locke) Do you recall submitting 12 receipts to SBA? 13 A. Not right at this moment. 14 Q. You can set that aside for now. Let me 15 hand you what's been marked as Defense Exhibit 246. 16 17 (Exhibit 246 marked for identification.) 18 19 Q. This is another letter that we received 20 from the SBA relating to your file. You'll see that 21 the letter is dated March 26, 2007; do you see that? 22 A. Yes. 23 Q. And it's addressed to Mr. Politz as well 24 as yourself? 25 A. Right.</p>	<p>1 Gulfport. 2 A. Right. 3 Q. So you would agree with me that these are 4 the collateral properties you had -- 5 A. Both of these are collateral, yes. 6 Q. -- And then in paragraph four use of 7 proceeds. Paragraph A,B,C and D lists the same 8 values that we just reviewed in paragraph 244; do 9 you see that? 10 A. Yes. 11 MR. CARTER: Counsel, you mean to say 12 Defense Exhibit 244? 13 MRS. LOCKE: Yes. Did I -- what did I 14 say? 15 MR. CARTER: You said paragraph. 16 MRS. LOCKE: I apologize. 17 Q. (By Mrs. Locke) Just to get a clear 18 record. Paragraph four subparagraphs A through D on 19 Defense Exhibit 246 lists the same values of break 20 out of your SBA loan that we just reviewed on 21 Defense Exhibit 244; is that correct? 22 A. To the best of my knowledge, yes. 23 Q. If you'd like to take a look back at 24 Defense Exhibit 244 to compare the numbers? 25 A. Looks like the same.</p>
Page 27	Page 29
<p>1 Q. If you could take a moment to read through 2 Defense Exhibit 246 and see if you recall receiving 3 this letter? 4 A. I remember it. 5 Q. The first paragraph of Defense Exhibit 246 6 states, "Received your request for an increase in 7 your disaster loan for refinancing. After a 8 thorough reevaluation of your disaster losses, we 9 are pleased to inform you that an increase of 10 \$125,300 is approved." Do you see that? 11 A. Yes. 12 Q. Is that consistent with your memory of the 13 increase in the amount of SBA loan that you 14 received? 15 A. Yes. 16 Q. The next paragraph then lays out the total 17 amount of the loan for \$340,300. Again, this is 18 consistent with your memory of the total SBA loan 19 amount, correct? 20 A. Yes. 21 Q. Now, paragraph two collateral. It looks 22 like the SBA probably got it right here in terms of 23 the deeds and trust and mortgage. If you look at 24 paragraph A and B it lists the 116 Winters Lane in 25 Long Beach as well as the Huntington Circle in</p>	<p>1 Q. Now the new paragraph E that has been 2 added to Defense Exhibit 246 reflects the \$125,300 3 of the newly acquired loan; is that correct? 4 A. Correct. 5 Q. Is there anything in Defense Exhibit 246 6 that you dispute the accuracy of? 7 A. No. 8 MR. CARTER: Object to foundation. 9 Q. (By Mrs. Locke) You can set that aside. 10 I'm going to hand you what's been marked as Defense 11 Exhibit 247. 12 13 (Exhibit 247 marked for identification.) 14 15 Q. This is another letter that we received 16 from the SBA relating to your file, your loan. And 17 the letter is dated August 6, 2007; do you see that? 18 A. Yes. 19 Q. And the letter is addressed again to you 20 and Mr. Politz? 21 A. Correct. 22 Q. If you could take a moment to review 23 Defense Exhibit 247 and tell me if you recall 24 receiving this letter? 25 A. Yes, I do.</p>



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9 (Pages 30 to 33)

Page 30	Page 32
<p>1 Q. The first paragraph states, "We understand 2 that you received \$148,098 from the Mississippi 3 Katrina Homeowner Grant Program." Is that 4 consistent with your recollection of the amount MDA 5 money that you received?</p> <p>6 A. Yes.</p> <p>7 Q. The paragraph goes on to state, "SBA is 8 prohibited from providing loan funds that duplicate 9 compensation from other sources for the same loss. 10 The portion of this recovery which duplicates must 11 be deducted from your loan amount."</p> <p>12 A. Yes.</p> <p>13 Q. The second paragraph then states, "We 14 received a remittance from the Mississippi Katrina 15 Homeowner Grant Program in the amount \$139,598." Do 16 you see that?</p> <p>17 A. Yes.</p> <p>18 Q. Is that consistent with your recollection 19 that you used the MDA Grant money to pay off part of 20 your SBA loan?</p> <p>21 A. Yes.</p> <p>22 Q. Do you have any reason to dispute the 23 accuracy of those two figures?</p> <p>24 A. I thought it was 135, maybe it's a 135. I 25 don't remember for sure.</p>	<p>1 antidepressants in approximately February 2008. Is 2 that consistent with your recollection of when you 3 first began taking antidepressants?</p> <p>4 MR. CARTER: Object to the form of the 5 question.</p> <p>6 A. I'm not sure exactly when it was.</p> <p>7 Q. (By Mrs. Locke) Do you have any reason to 8 dispute that would have been in late February 2008?</p> <p>9 A. No.</p> <p>10 Q. Do you recall the --</p> <p>11 A. Late 2008?</p> <p>12 Q. -- Late February 2008?</p> <p>13 A. I had taken some before then, I believe.</p> <p>14 Q. How do you -- how do you know this, I 15 mean?</p> <p>16 A. Because they weren't really helping me and 17 I had to call the doctor back and get something 18 different, something stronger.</p> <p>19 Q. How many times did you change your 20 antidepressant medications?</p> <p>21 A. As far as I know just once.</p> <p>22 Q. We have reason to believe that your 23 changed your medication in October of 2008. Is it 24 possible that you first began taking medication, 25 this antidepressant medication in February of 2008</p>
Page 31	Page 33
<p>1 Q. If SBA says it was 139,598 are you 2 disagreeing with their figure?</p> <p>3 A. No.</p> <p>4 Q. The third paragraph says, "As a result 5 your loan -- you're approved disaster loan is 6 unchanged at \$340,300, however the principle loan 7 balance has been reduced by the \$139,598 remittance 8 stated above." And this is consistent with your 9 recollection that the MDA funds you received were 10 used to pay towards your SBA loan?</p> <p>11 A. Yes.</p> <p>12 Q. Do you know what the current balance of 13 your SBA loan is?</p> <p>14 A. About 188 or 189.</p> <p>15 Q. And is your monthly payment still \$876?</p> <p>16 A. To the penny.</p> <p>17 Q. You can set that aside. During the 18 deposition in November we discovered that, you 19 testified that you began taking antidepressants 20 after Hurricane Katrina; is that correct?</p> <p>21 A. Yes.</p> <p>22 Q. Through the course of this litigation 23 we've requested medical records from some of your 24 physicians. And we have reason to believe based on 25 those medical records that you started taking</p>	<p>1 and then changed in October 2008?</p> <p>2 MR. CARTER: Objection to the form.</p> <p>3 A. No. It didn't happen like that.</p> <p>4 Q. (By Mrs. Locke) Okay. To the best of 5 your recollection, when did you first began taking 6 antidepressants?</p> <p>7 A. Sometime in 2007.</p> <p>8 Q. Do you recall what season --</p> <p>9 A. No.</p> <p>10 Q. -- it would have been? What month?</p> <p>11 A. I don't remember. I was very depressed.</p> <p>12 Q. Do you recall if it was at the beginning 13 or towards the end of the year?</p> <p>14 A. I don't remember.</p> <p>15 Q. So, if your medical records state that you 16 received -- that you began taking antidepressants in 17 February of 2008 you're disputing that?</p> <p>18 A. I think I took some before, yeah. I think 19 that sounds like about the same time that I -- I was 20 just crying all the time, I was very depressed. And 21 I called the doctor back and got on something 22 different. I think it was around that time.</p> <p>23 Q. In February 2008 is you think -- is when 24 you changed?</p> <p>25 A. I think.</p>

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10 (Pages 34 to 37)

Page 34	Page 36
<p>1 Q. Do you recall the name of the first 2 antidepressant medication that you took? 3 A. No, I don't. 4 Q. Could it have been Prozac? 5 A. Prozac is what I'm on now. That's when 6 they made a change. When the first one wasn't 7 helping then they made it to Prozac. 8 Q. What about a drug named Klonopin? 9 A. That might have been the first one. I'm 10 not sure. 11 Q. So you're currently taking Prozac? 12 A. It comes under a different name, but it's 13 Prozac in a generic. I take everything in generics. 14 Q. How frequently do you currently take 15 Prozac? 16 A. I take one pill a day. 17 Q. Do you know the dosage? 18 A. No, I don't. 19 Q. Celexa, does that antidepressant name mean 20 anything to you? 21 A. That could have been the first one. I'm 22 not sure. 23 Q. Do you still take a medication called 24 Celexa? 25 A. No. I don't believe I do. I take quite a</p>	<p>1 A. Dr. Grecio. 2 Q. Can you spell that? 3 A. G-R-E-C-I-O, I think. Something like 4 that. 5 Q. Do you recall when this might have 6 occurred? 7 A. I don't remember. 8 Q. Would it have been after Hurricane 9 Katrina? 10 A. Oh, yes. 11 Q. Would it have been in 2008? 12 A. Possibly. 13 Q. At this point again we -- this name wasn't 14 revealed to us in supplemental disclosures and so -- 15 16 A. I hadn't thought about it. 17 Q. Well, just to -- 18 A. And I'm not even sure it happened. 19 Q. -- Just to make the record clear. If 20 there's a possibility that you were prescribed 21 antidepressants by your gynecologist, and that's 22 something that we have requested and are allowed to 23 know under the rules. We would reserve our right to 24 request those documents and reopen this deposition 25 if need be.</p>
Page 35	Page 37
<p>1 few medications, but I don't think I'm taking that 2 one. 3 Q. Let me hand you -- aside from Dr. Babo, is 4 this any other doctor who would have prescribed you 5 antidepressants? 6 A. No. 7 Q. So he would have been the only physician 8 to prescribe you antidepressant medication? 9 A. As far as I know, yes. As far as I can 10 remember. He was -- he's my primary physician. 11 Q. Do you see a gynecologist regularly? 12 A. Yes, I do. 13 Q. Does your gynecologist prescribe 14 antidepressant medications for you? 15 A. Not normally. 16 Q. Do you have any recollection of your 17 gynecologist ever prescribing antidepressant 18 medications for you? 19 A. I think possibly one time he might have 20 prescribed something. Because I think Dr. Babo was 21 out of the country or something and I saw him and I 22 was having a problem. Seems like maybe once he did. 23 Q. And who is your gynecologist -- 24 A. But not -- not as a habit. 25 Q. -- Who is your gynecologist, name?</p>	<p>1 MR. CARTER: Again, as Mrs. Politz just 2 stated, that's the first time we've ever heard that 3 name either, so. 4 THE WITNESS: What's that, Dr. Grecio? 5 MR. CARTER: (Nodded head affirmatively). 6 THE WITNESS: Well, I use him as 7 gynecologist. I never used him as a heart doctor or 8 anything like that. But -- and I don't remember for 9 sure if it happened with him. I've been depressed 10 for a long time. I've seen a lot of doctors for 11 different reasons. I've been sick, been through 12 heart surgery and lot of stuff and I can't remember 13 every little detail. 14 Q. (By Mrs. Locke) I -- I completely 15 understand. I'm not asking you to remember every 16 detail. Just recall what you can as you're sitting 17 here today. 18 A. It seems like possibly I may have talked 19 to him one time, I'm not sure. And it seems like he 20 said, yeah, I could help you out with that until 21 your doctor comes back or something to that. But 22 I'm not sure and I don't remember what medication it 23 was. I don't even remember if it was for 24 depression. 25 Q. How regularly do you see your</p>

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11 (Pages 38 to 41)

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<p>1 gynecologist?</p> <p>2 A. Once or twice a year whenever I need to.</p> <p>3 As a routine once a year. And if I have a problem I</p> <p>4 see him.</p> <p>5 Q. Thinking back, when was the last time you</p> <p>6 saw Dr. Grecio?</p> <p>7 A. I would say probably about six months ago,</p> <p>8 probably. Give or take a month either way.</p> <p>9 Q. During this last encounter is that when</p> <p>10 this occurrence might have happened?</p> <p>11 A. I don't remember.</p> <p>12 MRS. LOCKE: So we would request that</p> <p>13 after the deposition you work with Mrs. Politz to</p> <p>14 get Mr. Grecio -- Dr. Grecio's contact information</p> <p>15 so that we can secure medical records from him?</p> <p>16 MR. CARTER: Certainly. Is it Grego? How</p> <p>17 do you spell that?</p> <p>18 THE WITNESS: I think it's like</p> <p>19 G-R-E-A-C-I-O or something like that.</p> <p>20 MR. CARTER: G-R-E-A-C-I-O?</p> <p>21 THE WITNESS: He was in Slidell and he</p> <p>22 moved to Covington.</p> <p>23 MR. CARTER: Do you know his first name,</p> <p>24 Mrs. Politz?</p> <p>25 THE WITNESS: I really don't.</p>	<p>1 list?</p> <p>2 A. I don't have a date on it? It was</p> <p>3 sometime in 2008, because I couldn't find the</p> <p>4 original one.</p> <p>5 Q. The front page of Defense Exhibit 226 says</p> <p>6 list of contents \$100,000. Can you tell me what the</p> <p>7 \$100,000 reflects?</p> <p>8 A. Everything in the house. My furniture, my</p> <p>9 clothes, all appliances.</p> <p>10 Q. So the \$100,000 --</p> <p>11 A. Beddings, everything.</p> <p>12 Q. -- this would be the total amount that</p> <p>13 you're claiming Nationwide owes you for contents in</p> <p>14 your home?</p> <p>15 A. Even my medicines. I had a few with me,</p> <p>16 but I have a lot that I lost. I was in Alabama and</p> <p>17 I had to reestablish everything. So I lost</p> <p>18 everything, except a couple pair of cutoffs and a</p> <p>19 pair a thongs that I took with me.</p> <p>20 Q. Just as a reminder, we did this in</p> <p>21 November during the first part of this deposition.</p> <p>22 At the very bottom of the page you'll see a number</p> <p>23 that says Politz and on the first page of Defense</p> <p>24 Exhibit 266 it says 1195. That's what we refer to</p> <p>25 as Bates numbers.</p>
Page 39	Page 41
<p>1 MR. CARTER: Okay. Sorry I didn't mean to</p> <p>2 jump in with questions.</p> <p>3 MRS. LOCKE: That's okay. I'm just trying</p> <p>4 to get this --</p> <p>5 THE WITNESS: I'm sure it's on my medicine</p> <p>6 bottle at home.</p> <p>7 MRS. LOCKE: -- information.</p> <p>8 Q. (By Mrs. Locke) Is he with Ochsner?</p> <p>9 A. Yes, he is.</p> <p>10 Q. I'm going to hand you what's been marked</p> <p>11 as Defense Exhibit 226.</p> <p>12</p> <p>13 (Exhibit 226 marked for identification.)</p> <p>14</p> <p>15 Q. If you could flip through this and tell me</p> <p>16 if you recognize it?</p> <p>17 A. I do.</p> <p>18 Q. And could you tell me what it is?</p> <p>19 A. Yeah. It's things that I lost in my</p> <p>20 house, the contents when the storm hit.</p> <p>21 Q. Did you prepare this list?</p> <p>22 A. Yes, I did.</p> <p>23 Q. Is this your handwriting?</p> <p>24 A. Yes.</p> <p>25 Q. Can you tell me when you prepared this</p>	<p>1 A. Okay.</p> <p>2 Q. So I'm going to refer Bates number 1195,</p> <p>3 for example, to identify certain pages. Okay?</p> <p>4 A. Okay.</p> <p>5 Q. So if you could turn to Bates number 1196,</p> <p>6 it's actually the second page of Defense</p> <p>7 Exhibit 226.</p> <p>8 A. Okay.</p> <p>9 Q. It's kind of hard to read. And the top of</p> <p>10 the page is entitled, sun room used as dining room;</p> <p>11 do you see that?</p> <p>12 A. Yes.</p> <p>13 Q. So is this your list of the items located</p> <p>14 in your sun room?</p> <p>15 A. To the best of my knowledge, yes.</p> <p>16 Q. At the bottom you have \$15,000; do you see</p> <p>17 that?</p> <p>18 A. Uh-huh (Affirmative Response).</p> <p>19 Q. How did you arrive at that number?</p> <p>20 A. Trying to -- just figuring out how much I</p> <p>21 paid for different things, each one of those things</p> <p>22 and it roughly -- it come to about that. I have no</p> <p>23 receipts, no nothing to go by, so.</p> <p>24 Q. Did you take any other notes to scratch</p> <p>25 out, to add up to \$15,000?</p>

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12 (Pages 42 to 45)

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<p>1 A. I had all that in the one I lost. But, 2 no, I didn't. I'll just answer that.</p> <p>3 Q. Now the \$15,000 that you value the items 4 in your sun room how, did you come up with the value 5 in terms of -- let me get this out a second. It may 6 be a little awkward. But I'm trying to understand 7 the measure that you used. Were you measuring the 8 value based on the cost to replace a particular 9 item? Or were you using, for example, the value of 10 the item that you think you could potentially sell 11 the item for? What -- what measure were you using.</p> <p>12 MR. CARTER: Object to form.</p> <p>13 A. I used the measure of mostly how much I 14 had paid for it and how much it was worth at this 15 time. Because I had been collecting things for 30 16 years. Okay.</p> <p>17 Q. (By Mrs. Locke) So the first item on 18 Defense Exhibit 226 under Bates 1196 is extended 19 dining table plus six chairs; do you see that?</p> <p>20 A. Yes, I do.</p> <p>21 Q. Of the \$15,000, what do you value that at?</p> <p>22 A. I would say about 10,000.</p> <p>23 Q. Did you -- how did you arrive that number?</p> <p>24 A. Because of what I paid for it years ago, 25 but it was along with other furniture that I bought.</p>	<p>1 Q. And the buffet cabinet?</p> <p>2 A. The buffet cabinet is the other one I was 3 talking about. China cabinet, buffet cabinet.</p> <p>4 Q. So where it says two china cabinet and one 5 buffet cabinet, is that a duplicate?</p> <p>6 A. No. I had two china cabinets and I had a 7 buffet.</p> <p>8 Q. So the buffet would be valued at \$300, is 9 that --</p> <p>10 A. No.</p> <p>11 Q. -- Let's start with --</p> <p>12 A. The china cabinet that I had in there, I 13 think I said around 300. It's one of those smaller 14 cabinets that sit on the wall I had gotten. It 15 wasn't a part of the antique. The buffet and the 16 other one was parts of the antique.</p> <p>17 Q. How much do you value the buffet cabinet 18 at?</p> <p>19 A. I would say at least 3,000.</p> <p>20 Q. When did you arrive at that estimate?</p> <p>21 A. I guess when I needed to make a list. 22 Because I had not planned to get rid of it.</p> <p>23 Q. Let's just go back through, stopping sort 24 of in the middle of the page. You state that the 25 extended dining table was valued at 10,000, folding</p>
Page 43	Page 45
<p>1 It was all antiques and I had it all redone and 2 refinished. And what it cost me and what it cost me 3 to get it repaired, get it usable. And the timing 4 that I had had it and the timing before I had it. 5 It was like 90 years -- 95 years old.</p> <p>6 Q. Moving to the second item --</p> <p>7 A. And it was like brand new.</p> <p>8 Q. -- Moving to the second item. One folding 9 table with four chairs; what do you value that at?</p> <p>10 A. That was about \$60, I think. It was a 11 little folding chair -- or 60 or \$70, something like 12 that.</p> <p>13 Q. Two china cabinets. Does that mean that 14 you are claiming that there were two china cabinets?</p> <p>15 A. Yes.</p> <p>16 Q. And how much do you value each of those 17 at?</p> <p>18 A. Well, the one that matched my dining room 19 table and chairs, I would say probably three or 20 4,000.</p> <p>21 Q. And the other one?</p> <p>22 A. About 300.</p> <p>23 Q. Freezer chest; what do you value that at?</p> <p>24 A. The freezer chest was \$129. I remember 25 that.</p>	<p>1 table at 60 or \$70. The two china cabinets valued, 2 one at \$4,000 one at \$3,000.</p> <p>3 A. No, I was think about the same one, the 4 buffet cabinet, okay. But it had a china cabinet 5 also. But I may have it listed in another room, 6 because it was kind of in a hallway.</p> <p>7 Q. Okay. I guess I'm confused. How much do 8 you value the two china cabinets separately?</p> <p>9 A. One for about 300, one for about 2,000.</p> <p>10 Q. And then the buffet cabinet is a \$3,000 11 value according to you?</p> <p>12 A. Yes.</p> <p>13 Q. So looking at the items, and the freezer 14 chest is \$129. With the values you've just given me 15 that already adds up to more than \$15,000. So what 16 I'm trying to get at --</p> <p>17 A. Okay. Let's just take off a couple of 18 thousand for the dining room chairs and tables. I 19 wouldn't have taken less than 10,000, but maybe -- I 20 never had it appraised. I never wanted to get rid 21 of it. Maybe it was not a -- not worth that. Maybe 22 it was only worth 8,000. I don't know.</p> <p>23 Q. Is it fair to say that you're coming up 24 with these values now as you sit here?</p> <p>25 A. No. I've been -- I've given it some</p>

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13 (Pages 46 to 49)

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<p>1 thought. I put 15,000 because I knew damn well I</p> <p>2 had that much in there.</p> <p>3 Q. But as you sit here today, your first</p> <p>4 estimate for the dining table was 10,000 and now</p> <p>5 you're saying maybe it was 8,000?</p> <p>6 A. Possibly.</p> <p>7 Q. Let's talk about the dining chair -- the</p> <p>8 dining table and six chairs.</p> <p>9 A. Okay.</p> <p>10 Q. You'd agree with me that there's a whole</p> <p>11 variety of price ranges for dining room table sets,</p> <p>12 correct?</p> <p>13 A. Yes.</p> <p>14 Q. You could buy something at a discount</p> <p>15 store that would cost you maybe less than a thousand</p> <p>16 dollars?</p> <p>17 A. Right.</p> <p>18 MR. CARTER: Object to foundation.</p> <p>19 Q. (By Mrs. Locke) You could buy something</p> <p>20 at an antique store that could cost you many many</p> <p>21 thousands of dollars, correct?</p> <p>22 A. Right.</p> <p>23 Q. Based on the list that you've provided</p> <p>24 here which said extended dining table and six</p> <p>25 chairs, how is Nationwide supposed to verify the</p>	<p>1 Q. -- entitled sun room used as dining room.</p> <p>2 Moving down the list on the last items that you list</p> <p>3 are, lots of party glasses and serving dishes and et</p> <p>4 cetera. Silver from 25th wedding anniversary, china</p> <p>5 and crystal and books; you see that?</p> <p>6 A. Uh-huh (Affirmative Response).</p> <p>7 Q. Is it fair to say that this is not a</p> <p>8 precise list of the items in your sun room?</p> <p>9 MR. CARTER: Object to form.</p> <p>10 A. I'm not saying that it's a precise list.</p> <p>11 I don't remember exactly how many glasses or how</p> <p>12 many things of silver that I had from my wedding</p> <p>13 anniversary for 25 years. But it was all stored in</p> <p>14 there and it was all things that I had collected</p> <p>15 over the years.</p> <p>16 Q. (By Mrs. Locke) So, but this doesn't tell</p> <p>17 us how many place settings, for example, you had for</p> <p>18 your china, correct?</p> <p>19 A. Right.</p> <p>20 Q. And it doesn't tell us even the brand or</p> <p>21 the age of the china, does it?</p> <p>22 A. No.</p> <p>23 Q. Is it fair to say that Nationwide would</p> <p>24 have no way to verify the accuracy of the dollar</p> <p>25 estimate in this list?</p>
Page 47	Page 49
<p>1 value that you place on this?</p> <p>2 MR. CARTER: Object to foundation, form</p> <p>3 and argumentative.</p> <p>4 VIDEOGRAPHER: Two minutes.</p> <p>5 A. Maybe they should have come out and looked</p> <p>6 at it when they insured it.</p> <p>7 Q. (By Mrs. Locke) But as you sit here today</p> <p>8 you're not able to tell me precisely whether the</p> <p>9 value of the table is 8,000 or \$10,000, but you're</p> <p>10 expecting Nationwide to pay you \$15,000 --</p> <p>11 A. For everything on that page, because I</p> <p>12 know it was worth it.</p> <p>13 MR. CARTER: Object to form and</p> <p>14 foundation.</p> <p>15 VIDEOGRAPHER: Go off record at 9:50.</p> <p>16 Change tape one.</p> <p>17</p> <p>18 (Off the record.)</p> <p>19</p> <p>20 VIDEOGRAPHER: We're back on record at</p> <p>21 9:56. Starting tape two.</p> <p>22 Q. (By Mrs. Locke) When we went off the</p> <p>23 record we were looking at Defense Exhibit 226. And</p> <p>24 we're looking at page two of that --</p> <p>25 A. Okay.</p>	<p>1 MR. CARTER: Objection to form and</p> <p>2 foundation.</p> <p>3 A. No, it's not fair to say that.</p> <p>4 MR. CARTER: And counsel, now is your</p> <p>5 chance. You got all the time in the world to ask</p> <p>6 her about this stuff.</p> <p>7 Q. (By Mrs. Locke) Et cetera? What do you</p> <p>8 mean by et cetera?</p> <p>9 A. Odds and ends that I don't even remember</p> <p>10 the value. They were just valuable to me.</p> <p>11 Keepsakes, things that people, you know, gave me for</p> <p>12 my anniversary and all that was lost.</p> <p>13 Q. So you don't recall how many place</p> <p>14 settings you had?</p> <p>15 A. No, I don't remember.</p> <p>16 Q. You don't recall the number of glasses you</p> <p>17 had?</p> <p>18 A. No.</p> <p>19 Q. And you don't recall the odds and ends, do</p> <p>20 you?</p> <p>21 A. No. Remember this is things that I had</p> <p>22 been collecting for 30 to 40 years.</p> <p>23 Q. Now this is not the original list you</p> <p>24 prepared; is that correct?</p> <p>25 A. Correct.</p>



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14 (Pages 50 to 53)

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<p>1 Q. You had a list earlier that you gave to 2 your lawyers; isn't that right? 3 MR. CARTER: Objection to form and 4 foundation. 5 A. I'm not sure. I either lost it or gave it 6 to them. Somehow or other it hasn't been found. 7 And I don't know if it's my fault or if it happened 8 there or what. I don't know what happened to it. 9 MR. CARTER: I'll state for the record, 10 counsel, this is the first list that we got. 11 Q. (By Mrs. Locke) Please turn to page Bates 12 number 1197 of Defense Exhibit 226. 13 A. Okay. 14 Q. The title of this page is kitchen? 15 A. Yes. 16 Q. And the total estimate you've come up with 17 is \$12,000; is that correct? 18 A. Uh-huh (Affirmative Response). 19 Q. Now this list doesn't identify the number 20 of dishes you had, does it? 21 A. No. 22 Q. Doesn't identify their age? 23 A. Well, I had some dishes in there too, but 24 they -- they were just cheaper dishes that I used 25 every day.</p>	<p>1 A. A wok. It wasn't electric though I don't 2 think. No, it wasn't. A lot of things like that. 3 Q. Beside your skillet, your grill and your 4 wok, what else? 5 A. It's been four years, I don't remember all 6 that right now. 7 Q. Okay. 8 A. But I do know that if they didn't -- if 9 they didn't want to list why would that ask me for 10 it? And if they didn't want to insure it, why did 11 they insure it? It was things that I thought were 12 safe with my insurance, that it would be covered. 13 Q. Is it fair to say that the items that are 14 listed in the kitchen list, you don't have any 15 receipts for -- 16 A. That's right. They're all out in the gulf 17 some place. 18 Q. -- The last paragraph on Bates 1197 with 19 kitchen says "lots of misc items." 20 A. Miscellaneous items. 21 Q. What would those include? 22 A. The same things that you walk into any 23 kitchen and expect to find. Can openers, sets of 24 knife's that sort of thing. 25 Q. How did you come up with the value of</p>
Page 51	Page 53
<p>1 Q. How cheap? I mean, what -- what do you 2 mean by that? 3 A. Something you could buy at Wal-Mart. 4 Q. What types of dishes did you have? 5 A. Glass, mostly glass. I don't like 6 plastics too much. 7 Q. Do you recall how many place settings you 8 had? 9 A. I think probably maybe around eight, I 10 don't know. I don't even know if they all matched. 11 Just every day stuff. 12 Q. You also list pots and pans. Do you 13 remember how many pots and pans you had? 14 A. I don't remember, but I had plenty of 15 them. I had everything. I love to cook and I had 16 plenty of everything. 17 Q. And small electric appliance. Is that one 18 appliance is that multiple appliances? 19 A. Multiple. 20 Q. What do you mean by small electric 21 appliance? 22 A. I had electric skillets, electric grills, 23 all that kind of stuff. 24 Q. Aside from your skillet and your grill, 25 what else?</p>	<p>1 \$12,000 for -- 2 A. I tried to remember back and get it as 3 close to what I could come up as an actual figure of 4 what I had. And I'm not sure if I remembered 5 everything or not. But I know the water cooler was 6 like \$140. Those electric appliances, one skillet 7 was over \$200. 8 Q. So how many do you value your electric 9 appliances at? 10 A. At least five or \$600. Electric popcorn 11 popper, everything like that. Crock-pots. 12 Q. And your dishes, cooking utensils, pots 13 and pans and skillets, how much do you value that 14 at? 15 A. The cooking utensils, I had one set of 16 pots that was like over \$600. It's a small set, but 17 it was good stainless still. Okay. Then I had a 18 lot of other things. Probably a couple of thousand. 19 Q. 2,000? 20 A. 2,000, yeah. 21 Q. And that would be for everything that's 22 listed under dishes, cooking utensils, pots and pans 23 and skillets? 24 A. No. That's for the small -- the cooking 25 pans and the small electric appliances. I had a</p>



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15 (Pages 54 to 57)

Page 54	Page 56
<p>1 rice cooker. All that. It takes you time to think 2 of all of this to try to put a figure on that. 3 Q. That's what I'm trying to get at. I mean, 4 you've come up with \$12,000, and your counsel has 5 given me the opportunity here today to try and 6 figure out how you value these things. I mean, 7 dishes, what do you value your dishes at? 8 A. The dishes, probably five hundred. 9 Q. And these are dishes from Wal-Mart your 10 said? 11 A. Not all of them, some of them. And when 12 you say dishes, I don't know if you're just talking 13 about that or are you talking about the glasses, the 14 cups, everything? 15 Q. Mrs. Politz, you've listed dishes here. 16 That's all that I have to go by. 17 A. Okay. 18 Q. What do you include within dishes? 19 A. I include the plates, cups, saucers, 20 cereal bowls, coffee pots. That's with the pots and 21 pans also and it's electric. And I had a really 22 nice one. It was a hundred dollar coffee pot. 23 Q. So for dishes, how much do you value, 24 based on your definition of dishes, how much do you 25 value your dishes at?</p>	<p>1 value at 600; is that correct? 2 A. Yeah. 3 Q. And the water cooler at 140? 4 A. Yes. 5 Q. Lots of miscellaneous items; what do you 6 value that at? 7 A. I don't really -- there's so many 8 different things I have that I can't remember them 9 all right at this moment. Let me have some time to 10 think about that one. 11 Q. I can wait. 12 A. Okay. Let's put a thousand dollars. 13 Q. Hard liquor? 14 A. I had all my hard liquor in the kitchen. 15 Well, just about all of it. I had a shelf full of 16 it. Had some that wasn't even opened. My husband 17 had -- had a case made for him of Maker's Mark with 18 his name on it through some kind of a organization. 19 Q. So, totaling up all the hard liquor in the 20 kitchen, how much do you value that at? 21 A. Probably a thousand dollars. 22 Q. And beer? 23 A. Probably \$50. I kept a couple of extra 24 cases. Because I don't like to have to run out 25 somebody -- if we decide to have a barbecue and</p>
Page 55	Page 57
<p>1 A. Probably 500. 2 Q. Okay. 3 A. I had a lot of different platters for 4 Thanksgiving and all that kind of stuff. 5 Q. Cooking utensils, what do you value that 6 at? 7 A. Cooking utensils, about \$60. 8 Q. Pots and pans? 9 A. Pots and pans. Is that with the skillets 10 too? 11 Q. Let's just do pots and pans by itself? 12 A. Okay. 1,200. 13 Q. And skillets? 14 A. Now we're not talking about the electric 15 appliances here, just -- 16 Q. Just the item -- 17 A. -- regular skillets? Okay. 18 Q. -- Let me -- to get the record clear. I'm 19 talking about the item that you have listed as 20 skillets on the second line of -- 21 A. Okay. 22 Q. -- Bates number 1197, what do you value 23 that at? 24 A. Okay. 250. 25 Q. And you said small electric appliances you</p>	<p>1 invite somebody over. 2 Q. Grocery and lots of can goods and dry 3 goods. How much do you value that at? 4 A. 1,500. I know I had a lot of them in 5 there. 6 Q. The next item, it says -- you're going to 7 have to help me read your writing. What does that 8 say? R-A-I-D-S? 9 A. Radio. 10 Q. Oh, radio. 11 A. I had -- 12 Q. How much do you value the radio at? 13 A. About \$50. It's one of those little 14 radios that you put up under the cabinet. Forty or 15 \$50, I don't remember. With CD's and tapes and 16 everything. 17 Q. The TV, how much do you value the TV at? 18 A. Couple of hundred. 19 Q. 200? 20 A. Yeah. 21 Q. And cookbooks, what do you value your 22 cookbooks at? 23 A. I had about 30 cookbooks and they were -- 24 almost all of them were around \$30, between 25 and 25 \$30. So, I don't know that what figures out to be.</p>

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16 (Pages 58 to 61)

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<p>1 Q. \$900?</p> <p>2 A. That sounds about right.</p> <p>3 Q. Based on the totals that you have given</p> <p>4 me, the values that you've given me, I add that up</p> <p>5 to approximately \$7,300, which is different from the</p> <p>6 \$12,000 figure that you've given me. As you sat</p> <p>7 here today and gave me these estimates, are they the</p> <p>8 best estimates that you can give me as you sit here?</p> <p>9 A. As of right now, yes. I'm sure I'll think</p> <p>10 of other things later that I had in there that I'm</p> <p>11 not thinking about right now.</p> <p>12 Q. So would you agree --</p> <p>13 A. But as of this moment, that's about the</p> <p>14 most honest I can be about with it.</p> <p>15 Q. So you would agree with me that the \$7,300</p> <p>16 is less than --</p> <p>17 A. Yes.</p> <p>18 Q. -- the 12,000 that you put on here?</p> <p>19 A. Uh-huh (Affirmative Response).</p> <p>20 Q. Look at the third page labeled living room</p> <p>21 on Defense Exhibit 226. What do you value your two</p> <p>22 sofas at?</p> <p>23 A. One of them was an antique and I value it</p> <p>24 at about 5,000, 6,000 maybe, I don't know somewhere</p> <p>25 in there. The other one was an Italian leather, and</p>	<p>1 A. I had one that matched my sofa, my antique</p> <p>2 sofa. And I had one that matched my Italian leather</p> <p>3 sofa.</p> <p>4 Q. And how much do you value those at?</p> <p>5 A. I have to think about it. The Italian</p> <p>6 leather I think was around 800. And I'm just</p> <p>7 thinking of something that also I paid 200 for was a</p> <p>8 footstool. And I don't even have it on this list.</p> <p>9 In Italian leather also. And the antique chair, I</p> <p>10 would say at least about 700 for it.</p> <p>11 Q. How did you come up with that estimate?</p> <p>12 A. For what I paid for it and what it cost me</p> <p>13 to have it redone and the 30 years that I had</p> <p>14 polished it and kept it up.</p> <p>15 Q. How much did you pay for it?</p> <p>16 A. I don't remember. I bought a whole -- I</p> <p>17 bought three rooms full of furniture way back when.</p> <p>18 And I think I paid around 10,000 for all of it. And</p> <p>19 then I spent a lot of money on it afterward.</p> <p>20 Q. How much money did you spend on the</p> <p>21 antique chair to reupholster it?</p> <p>22 A. I don't remember. I had it done with the</p> <p>23 sofa and all of that.</p> <p>24 Q. The six tables, what do you value that at?</p> <p>25 A. Well, three or four of those was the</p>
Page 59	Page 61
<p>1 I'd say about 2,000.</p> <p>2 Q. On the antique, where did you purchase</p> <p>3 this sofa?</p> <p>4 A. I purchased this from an individual over</p> <p>5 30 years ago. And then had it all redone and some</p> <p>6 business in Livingston Parish. I forgot what the</p> <p>7 name of it was. And I sent it to another place, I</p> <p>8 had all the woodwork -- all the re-upholstery done</p> <p>9 first. Then sent it and got all the woodwork</p> <p>10 redone.</p> <p>11 Q. How old of a sofa was it?</p> <p>12 A. It was 95 years old. Not when I purchased</p> <p>13 it.</p> <p>14 Q. And then the Italian leather sofa, how old</p> <p>15 was that?</p> <p>16 A. Couple of years.</p> <p>17 Q. How many?</p> <p>18 A. Two.</p> <p>19 Q. Do you recall where you purchased it?</p> <p>20 A. Yes. I bought it in -- I'm trying to</p> <p>21 think of the name of the place now. It used to be</p> <p>22 where Rooms To Go are at right now. It was the</p> <p>23 business that was in there on Pass Road in Gulfport.</p> <p>24 It went out of business, so for Rooms To Go.</p> <p>25 Q. Chairs? What kind of chairs did you have?</p>	<p>1 antique tables that went with the living room set.</p> <p>2 And a couple, I think it was three. And I think the</p> <p>3 other three was two end tables and a coffee table</p> <p>4 that went with the Italian sofas and all. And they</p> <p>5 were around two to 250 each. And the antique</p> <p>6 tables, I just don't really remember what kind of a</p> <p>7 price I would put on those. They were very nice</p> <p>8 tables and I had paid a lot to get them all redone</p> <p>9 and everything.</p> <p>10 Q. So, let me make sure I understand. For</p> <p>11 the antique chair, for example, you don't remember</p> <p>12 precisely how much you paid for it? You don't</p> <p>13 remember how much you paid to have it reupholstered?</p> <p>14 The tables, you don't recall or you don't know what</p> <p>15 the value would be that you would put on it? But</p> <p>16 you've put a total value of your living room at</p> <p>17 \$15,000; is that correct?</p> <p>18 MR. CARTER: Object --</p> <p>19 A. I'm trying to cover -- excuse me.</p> <p>20 MR. CARTER: I was just going to say</p> <p>21 object to form.</p> <p>22 THE WITNESS: Okay.</p> <p>23 MR. CARTER: Also, I think you had cut her</p> <p>24 off when she was answering about the tables.</p> <p>25 A. Uh-huh. The tables, I'm going to try to</p>

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17 (Pages 62 to 65)

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<p>1 and give you an answer on that, but I need to think 2 about it a second. I told you the three that went 3 with the Italian sofa, the Italian leather sofas and 4 all. Okay. The other three, I would say a thousand 5 dollars between the three of them. 6 Q. (By Mrs. Locke) So 1,750 for the tables? 7 That would be three times \$250 -- 8 A. No, it would -- excuse me just a moment. 9 It would be more than that on the antique tables. 10 Q. How much for the antique tables? 11 A. I paid 800 for one of them, it just dawned 12 on me. And then I had three more. I had forgot 13 about that one I paid \$800 for and then I had it 14 redone. It cost me a couple of thousand dollars to 15 get it redone. 16 Q. So for the six tables, what value would 17 you put on that? 18 A. Four thousand. 19 Q. And break that down for me. How did you 20 get the \$4,000 figure? 21 A. Because of the antique tables. 22 Q. There's three antique tables? 23 A. Okay. 24 Q. Is that correct? 25 A. Yes.</p>	<p>1 between the other two antique tables. And between 2 six and \$700 for the three non-antique tables. So 3 taking the higher amounts of all of that 2,000, 4 1,000 and 700, would be \$3,700; is that right? 5 A. For the tables? It's about right I guess. 6 Q. And how much is the TV? 7 A. The TV screen was around 2,000. 8 Q. And the VCR and DVD and lots of CD's? 9 A. Yeah. The VCR and the DVD was around 450, 10 I paid for that. 11 Q. Where did you purchase those? 12 A. At Sears. 13 Q. When? 14 A. Several years ago, but they were all 15 working fine. Probably around '98 or '99. 16 Q. So you're putting a \$450 value on a VCR 17 and DVD player that you purchased in 1998 or 1999? 18 A. That's what I paid for it. It was still 19 working fine. 20 Q. Pictures and misc? 21 A. Picture and miscellaneous. Okay, I had 22 lots of CD's. They're anywhere from 10 to \$20 each. 23 Q. So do what do you value the lots of CD's? 24 A. Probably 70 or 80. 25 Q. What about pictures and misc; what do you</p>
Page 63	Page 65
<p>1 Q. And -- 2 A. And I know I paid 800 for one. And then I 3 spent a lot -- a lot of money on having it redone. 4 Q. How much money did you spend having that 5 antique table redone? 6 A. I think at least a thousand dollars or 7 1,200 something like that. It had a lot of little 8 groves and woodwork and took a little time to do all 9 that little detail. 10 Q. And what about the two other antique 11 tables, how much do you value those at? 12 A. Probably about a thousand between the two 13 of them. And then the center table was another 14 probably seven, 800. 15 Q. And what about for the three non-antique 16 tables? You said those were -- 17 A. I think I answered that was 600 around 18 six, seven hundred. 19 Q. -- Okay. So I have the total value then 20 is not 4,000, it would be \$3,700; is that correct? 21 A. I don't know. I didn't add it up. 22 Q. And you said \$800 for the original antique 23 table plus between 1,000 and \$1,200 to have it 24 redone. So if you take the larger number that would 25 be \$2,000 for the antique table. You said \$1,000</p>	<p>1 value that at? 2 A. Pictures and miscellaneous. Okay. About 3 2,500. 4 Q. I think I skipped over lamps. What do you 5 value your lamps at? 6 A. About 500. Some were less than a hundred, 7 some were more. So it's probably an average of 8 around five. 9 Q. Well, the total that you gave me does not 10 add up to \$15,000? 11 A. Okay, what does it add up to? 12 Q. Well, the point being is that there are no 13 values placed next to these and the values that 14 you've given me today do not total \$15,000. 15 MR. CARTER: Is that a question? 16 Q. (By Mrs. Locke) How is -- 17 MRS. LOCKE: There will be if you let me 18 finish. 19 MR. CARTER: Okay. 20 Q. (By Mrs. Locke) How is Nationwide 21 supposed to determine the accuracy of this list when 22 the value that you give me today sitting here in the 23 deposition is different than the value that you've 24 placed on the list? 25 A. Because you didn't much time to think</p>

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18 (Pages 66 to 69)

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<p>1 about it. I'm here trying to get some answers for 2 you the best I can. 3 MR. CARTER: Objection -- 4 A. And it's not exactly accurate. 5 MR. CARTER: -- Objection to form and 6 foundation. And it's argumentative and move to 7 strike. 8 Q. (By Mrs. Locke) Why don't you turn to the 9 last page of Defense Exhibit 226, which is Bates 10 numbered 1206. It says, is entitled upstairs 11 storage. Can you tell me where -- 12 A. It was over my garage. 13 Q. -- And this was a detached garage; is that 14 right? 15 A. No, it was a built-in double garage. 16 Q. That's right. I apologize. So would this 17 have been an attic area? 18 A. It had stairs going up to it from the 19 garage to the attic. 20 Q. Decorations for all holidays. What do you 21 value that at? 22 A. Probably 2,000. I had a lot -- a lot a 23 lot of decorations up there. 24 Q. What kinds of decorations? 25 A. All your Christmas tree lights going all</p>	<p>1 300. 2 Q. All kinds of outdoor items. What would 3 those include? 4 A. All kinds of -- I had my burners up there. 5 I had everything that went with crawfish boiling, 6 all but the tanks. I didn't have the gas tanks up 7 there. But I had all that kind of equipment. Had 8 jambalaya pots, stuff like that. 9 Q. Would this be like barbecue equipment? 10 A. Uh-huh (Affirmative Response). 11 Q. And what do you value that at? 12 A. Geesh, about 800. Probably eight or 900. 13 Q. And lots of miscellaneous items. What do 14 you value that at? 15 A. About 1,800 at least. 16 Q. And what do you include in miscellaneous 17 items? 18 A. I had tents like to set up on the beach, 19 lawn chairs all that type of thing. I had even 20 boots, the white shrimper boots and all that. Just 21 lot of different miscellaneous things. 22 Q. You can set your -- this list aside for 23 now. 24 A. Okay. 25 MR. CARTER: Counsel, I just want to state</p>
Page 67	Page 69
<p>1 around your house, all in your bushes, all of that. 2 Easter decorations. Halloween. I had quite a few 3 Halloween's. 4 Q. So aside from the holidays, I mean, what 5 -- and lights that you would put on your house, what 6 other types of decorations would you have? 7 A. I had lots of Mardi Gras decorations, 8 flags. Mardi Gras flags. I had a lot of LSU 9 decorations for when LSU was playing football, stuff 10 like that. 11 Q. Ice chests? Is that like a cooler? 12 A. Yeah. I had about eight different sizes 13 of them up there. Because they took up too much 14 room in my garage. 15 Q. So there was more than one? 16 A. Yes. 17 Q. And were they electric ice coolers? 18 A. No. 19 Q. They were -- 20 A. They were just regular coolers. 21 Q. So what do you value those at? 22 A. They were anywhere from 20 to 40 or \$50 23 for each one of them. I had all different sizes. I 24 had them on wheels that rolled and pulled for 25 tailgating and everything. So I would say probably</p>	<p>1 for the record that you've only been through a 2 couple of pages here. And now is your chance to 3 exhaust this list. If you fail to do so, I don't 4 want you trying to claim prejudice with that later. 5 MRS. LOCKE: Kris, this is neither the 6 time or the place to start arguing motions. This is 7 a deposition that we have the, you know, ability to 8 run as -- and ask questions as we see fit. 9 MR. CARTER: All right. I'm not trying to 10 argue a motion. I'm just telling you, don't go tell 11 the judge you didn't have a chance to ask about all 12 of this. 13 Q. (By Mrs. Locke) I'm going to hand you 14 what's been marked as Defense Exhibit 223. 15 16 (Exhibit 223 marked for identification.) 17 18 Q. Do you recognize this? 19 A. Uh-huh (Affirmative Response). 20 Q. If you could flip through, obviously there 21 are a lot of pages here. But if you look at the 22 bottom of the document, you'll see that the first 23 page of Defense Exhibit 223 is Bates number 479 and 24 the last page ends on Bates number 712. 25 A. Okay.</p>

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19 (Pages 70 to 73)

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<p>1 Q. Do you recognize this document as receipts 2 that you've provided to your attorney? 3 A. Yes. 4 Q. And did you provide these receipts to your 5 attorney because you believe Nationwide owes you for 6 the value that is listed in each of these receipts? 7 A. I furnished these to my attorney because 8 they were asked for them -- they asked for them. I 9 believe y'all were wanting them and he asked me to 10 make a list for y'all and furnish what I could, so I 11 did. 12 Q. Are you claiming that you're entitled to 13 insurance money based on these receipts? 14 A. To a point. 15 Q. What do you mean by to a point? 16 A. Well there's things I had to replace to be 17 able to live again, that kind of point. 18 Q. Are you claiming that they're all -- 19 A. No. Some of them was just because I got a 20 loan and I was able to start replacing things in my 21 house. 22 Q. So how is Nationwide able to determine 23 which receipts you're claiming we owe you for and 24 which receipts you're not claiming? 25 A. You owe me for every one of them.</p>	<p>1 hadn't had time to count them exactly. If you have 2 specific questions about specific items, you can ask 3 her about them. I'm going to object to the form. 4 And then you're asking about this bulk document. 5 Y'all have had this for months. If you have 6 specific questions about specific receipts, ask her 7 about those. That's my objection. 8 Q. (By Mrs. Locke) Are you claiming that the 9 receipts in this document which your lawyers have 10 provided to Nationwide, that Nationwide is 11 responsible for paying -- let me rephrase that. Are 12 you claiming that these receipts in this document 13 represent items that you've replaced because of 14 hurricane damage? 15 A. Yes. 16 MR. CARTER: Same objection. 17 THE WITNESS: Excuse me. 18 Q. (By Mrs. Locke) So in providing receipts 19 to your lawyers, did you understand that Nationwide 20 would be relying on those receipts to make their 21 determination on coverage? 22 A. No. I'm not sure quite how to answer 23 that. Because Nationwide never faced their 24 obligation so far, so why would I think they're 25 going to pay me now? I'm just trying to furnish</p>
Page 71	Page 73
<p>1 Q. Okay. 2 MR. CARTER: And again, argumentative -- 3 THE WITNESS: Okay. 4 MR. CARTER: -- question, foundation. 5 Counselor, you know that's not a proper question for 6 her to ask how Nationwide is supposed to do its job. 7 Q. (By Mrs. Locke) So you just testified 8 that Nationwide owes you money for every one of the 9 receipts; is that correct? 10 A. I haven't had time to look at this whole 11 catalog you have in front of me. But is that all 12 receipts that I turned in? To best of my knowledge 13 this is all receipts that I turned in of things that 14 I bought after the storm. If I had not lost a lot 15 of this I wouldn't have had to replace it. So in 16 replacing it, I think Nationwide owes me that. 17 That's the best my -- answer I can give you. 18 Q. So it's your testimony that these receipts 19 represent the items that you've had to replace due 20 to hurricane damage? 21 MR. CARTER: Counselor -- 22 A. They -- 23 MR. CARTER: Hang on one second, Mrs. 24 Politz. Objection. You've handed her a stack of 25 about 400 dollar -- 400 documents, 300 at least,</p>	<p>1 something is why I'm suing them is because they 2 didn't pay. I can't assume anything that they're 3 going to do. 4 Q. But you believe that it's Nationwide 5 obligation -- 6 A. Absolutely or I wouldn't be here. 7 Q. -- And you believe it's Nationwide's 8 obligation to use these receipts to make an 9 insurance payment; is that right? 10 A. If they choose to. 11 MR. CARTER: Same objection. 12 Q. (By Mrs. Locke) So Nationwide does not 13 have an obligation to rely on these receipts? 14 MR. CARTER: Objection. 15 A. Nationwide has an obligation to pay me. 16 MR. CARTER: Calls for a legal conclusion. 17 Q. (By Mrs. Locke) Would you agree with me 18 that it's important to be honest in the receipts 19 that you submit -- 20 A. As honest as I can be. I have been and I 21 will continuing being. 22 Q. -- Okay. And you consider yourself an 23 honest person? 24 A. Absolutely. 25 Q. And you think it's a good moral trait that</p>



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20 (Pages 74 to 77)

Page 74	Page 76
<p>1 you have?</p> <p>2 A. Yes.</p> <p>3 Q. Do you agree with me that if a receipt was</p> <p>4 not yours or was not Mr. Politz's then you would not</p> <p>5 be entitled to recover insurance money for it?</p> <p>6 MR. CARTER: Objection to form,</p> <p>7 foundation.</p> <p>8 A. I -- I don't know what you're getting at</p> <p>9 right now.</p> <p>10 Q. (By Mrs. Locke) If there was a receipt</p> <p>11 that was submitted that was not your receipt or a</p> <p>12 receipt incurred by Mr. Politz, would you agree with</p> <p>13 me that Nationwide does not owe that money?</p> <p>14 MR. CARTER: Same objection. And again,</p> <p>15 if you have a specific receipt you're asking about</p> <p>16 ask her about it?</p> <p>17 A. Yes, please.</p> <p>18 Q. (By Mrs. Locke) What I'm asking you is,</p> <p>19 you think it's important to be -- to provide</p> <p>20 receipts that you or Mr. Politz actually incurred</p> <p>21 cost for; is that right?</p> <p>22 A. That seemed to be what y'all wanted. So i</p> <p>23 got it for you the best I could.</p> <p>24 Q. So if there's a receipt that was not yours</p> <p>25 or Mr. Politz's, you would agree with me --</p>	<p>1 receipt. If you have specific one you want me to</p> <p>2 look at, I would tell you the honest truth.</p> <p>3 MRS. LOCKE: Are you directing the client</p> <p>4 not to answer the question?</p> <p>5 MR. CARTER: Did you hear me direct her</p> <p>6 not to answer?</p> <p>7 MRS. LOCKE: Well, I'm asking -- well,</p> <p>8 then would you please direct her to answer my</p> <p>9 question.</p> <p>10 MR. CARTER: Counselor, if you have -- if</p> <p>11 you ask a better question she can answer it. You're</p> <p>12 asking her --</p> <p>13 MRS. LOCKE: I'm asking --</p> <p>14 MR. CARTER: -- And again, let me finish</p> <p>15 my objection or my statement since you've now asked</p> <p>16 me to -- for my -- to do something on the record.</p> <p>17 You've asked her an ambiguous generic question, I'm</p> <p>18 objecting to the form and the foundation of it. If</p> <p>19 you want to lay proper foundation, put the receipt</p> <p>20 in front of her -- I'm not going to tell you how to</p> <p>21 do your job -- but put the receipt in front her and</p> <p>22 ask her about it, do it. If you're trying to catch</p> <p>23 her in something then, you know, I mean, I can't</p> <p>24 help you.</p> <p>25 Q. (By Mrs. Locke) Mrs. Politz, I'm asking</p>
Page 75	Page 77
<p>1 A. What specific receipt are you talking</p> <p>2 about? Then I can answer your question.</p> <p>3 Q. Ma'am, my question is a general one. If</p> <p>4 there's a receipt that was not yours and was not</p> <p>5 Mr. Politz's, do you agree with me that Nationwide</p> <p>6 would not owe that money to you or Mr. Politz?</p> <p>7 MR. CARTER: Same objection. And again,</p> <p>8 counselor, rather than trying to rely on "got you"</p> <p>9 cross-examination if you have a specific question,</p> <p>10 ask her about it. She's already answered that one a</p> <p>11 couple of times.</p> <p>12 MRS. LOCKE: Kris, I'm tired of the</p> <p>13 speaking objections. It's enough.</p> <p>14 MR. CARTER: It's not a speaking</p> <p>15 objection. I just asked you -- I made a specific</p> <p>16 objection on the record.</p> <p>17 MRS. LOCKE: You're coaching the witness.</p> <p>18 I'm asking --</p> <p>19 MR. CARTER: I'm not at all.</p> <p>20 MRS. LOCKE: I'm asking a general question</p> <p>21 about receipts that Mrs. Politz and Mr. Politz</p> <p>22 incurred. And if she agrees with me that if a</p> <p>23 receipt was not hers or her husband's, whether</p> <p>24 Nationwide is obligated to pay for it?</p> <p>25 A. I'm not going to answer that until I see a</p>	<p>1 you to answer the question as you're obligated to</p> <p>2 and that we agreed to do this morning. Remember my</p> <p>3 job is to ask you questions you can understand and</p> <p>4 your job is to answer them to the best of your</p> <p>5 ability. Remember?</p> <p>6 A. Okay.</p> <p>7 Q. I'm asking if there's a receipt that was</p> <p>8 not yours and was not your husband's would</p> <p>9 Nationwide, in your opinion, owe you for that money?</p> <p>10 MR. CARTER: Same objection.</p> <p>11 A. No, if it's a receipt that was neither one</p> <p>12 of ours. I don't know of any. If there's any in</p> <p>13 there it's a mistake.</p> <p>14 Q. (By Mrs. Locke) Sure. That's fine.</p> <p>15 That's all I was trying to get at.</p> <p>16 A. Okay.</p> <p>17 Q. Thank you.</p> <p>18 A. But I would like for you, if you have one</p> <p>19 specific thing if you would put it in front of me</p> <p>20 and question me about it and I can give you an</p> <p>21 honest answer.</p> <p>22 Q. Did you have any -- at the time of</p> <p>23 Hurricane Katrina did you have any other dependents</p> <p>24 living in your home aside from you and Mr. Politz?</p> <p>25 A. No.</p>



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21 (Pages 78 to 81)

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<p>1 Q. And all of your children were grown adults 2 at the time of Hurricane Katrina?</p> <p>3 A. Yes.</p> <p>4 Q. And all of Mr. Politz's from his first 5 marriage were also adults; is that correct?</p> <p>6 A. Yes.</p> <p>7 Q. Now if there were receipts that were 8 duplicated, you wouldn't be claiming that Nationwide 9 needs to pay you twice would you?</p> <p>10 A. I never got any money from them one time 11 to pay for anything, why would I expect it twice?</p> <p>12 Q. But my question is a little bit different. 13 If there's a receipt that is reflected, the value of 14 which is reflected twice, you're not expecting 15 Nationwide to pay you twice are you?</p> <p>16 A. I'm expecting Nationwide to replace what I 17 lost.</p> <p>18 Q. My question --</p> <p>19 A. And what they owe me and other than that I 20 don't expect a lot from them.</p> <p>21 Q. -- But my question is a little bit 22 different and a little bit narrower.</p> <p>23 A. Well, I don't understand why you're asking 24 me these questions.</p> <p>25 Q. I understand you don't understand right</p>	<p>1 street address is 13446; is that your address?</p> <p>2 A. That's the address -- that's the address 3 in Gulfport of the home we bought.</p> <p>4 Q. And the date is July 18, 2006, do you see 5 that?</p> <p>6 A. Yes.</p> <p>7 Q. And on the items listed it says one Sealy 8 Q set, and I can't make out the last word; do you 9 see that?</p> <p>10 A. One queen size is what the "Q" is for.</p> <p>11 Q. Is that -- is that consistent with your 12 recollection of purchasing a queen size bedroom -- 13 was this a mattress?</p> <p>14 A. It was mattresses, yes.</p> <p>15 Q. And you purchased a queen size mattress 16 approximately July 18, 2006?</p> <p>17 A. Yeah.</p> <p>18 Q. And you had it delivered to your new -- 19 new home in Gulfport; is that right?</p> <p>20 A. Correct.</p> <p>21 Q. Did you have a queen mattress in your old 22 home?</p> <p>23 A. Yes.</p> <p>24 Q. What room was that in?</p> <p>25 A. I had two bedrooms in my old house. And I</p>
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<p>1 now, but it's a general question and I'm trying to 2 understand. If you've submitted a receipt twice, 3 you don't believe that Nationwide should pay it 4 twice do you?</p> <p>5 A. No.</p> <p>6 Q. That's all I'm -- that's all I'm asking. 7 Now if you could turn to Bates number 480 of Defense 8 Exhibit 223. And we're going to be looking at pages 9 480, 481 and 482. And those are receipts from Sleepy 10 King; is that correct?</p> <p>11 A. I haven't even gotten to the pages yet.</p> <p>12 Q. If you look at the bottom 480, it's the 13 second page.</p> <p>14 A. Oh, it's right here.</p> <p>15 Q. So looking at pages 480, 481 and 482, 16 these are receipts from Sleepy King; is that right?</p> <p>17 A. Yes. Yeah, where I bought some mattresses 18 and things for the house.</p> <p>19 Q. So you recognize these receipts?</p> <p>20 A. 480 and 481?</p> <p>21 Q. And 482?</p> <p>22 A. Yes.</p> <p>23 Q. Let's focus on page 481 of Defense 24 Exhibit 223. The very top of the page it says 25 deliver to Huntington Circle, Gulfport and the</p>	<p>1 had queen bedroom sets in both of them.</p> <p>2 Q. Okay. If you turn the page to Politz482. 3 The date on this receipt is July 8, 2006. So this 4 would be just 10 days earlier from the previous 5 receipt; do you see that?</p> <p>6 A. Uh-huh (Affirmative Response).</p> <p>7 Q. And the address on this receipt the Gates 8 Avenue, which is my understanding was the FEMA 9 trailer; is that correct?</p> <p>10 A. Yes.</p> <p>11 Q. Did you move between these two dates?</p> <p>12 A. I moved in January, I think, or February, 13 something like that -- no, no, no, that's when I got 14 into the FEMA trailer in January, I think. And I 15 moved out in July when we got our house. When we 16 got the loan through and got the house and started 17 buying furniture and stuff. I moved to -- from 5519 18 Gates.</p> <p>19 Q. In approximately July of '06 is when you 20 moved from the FEMA trailer to the new home; is that 21 right?</p> <p>22 A. Yes.</p> <p>23 Q. So that explains the difference in address 24 between these two receipts?</p> <p>25 A. Uh-huh (Affirmative Response).</p>

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22 (Pages 82 to 85)

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<p>1 Q. Is that the difference?</p> <p>2 A. Yes.</p> <p>3 Q. Here it says quantity two sleep king Q</p> <p>4 sets imperial. Were those mattresses as well?</p> <p>5 A. Excuse me. I'm trying to think. I bought</p> <p>6 three queen size mattress sets and two twins.</p> <p>7 Q. But you testified in your old home you</p> <p>8 only had two queen sets; is that right?</p> <p>9 A. Yes.</p> <p>10 Q. So are you claiming that Nationwide owes</p> <p>11 you for the two twin sets and the additional third</p> <p>12 queen set?</p> <p>13 MR. CARTER: Object to the extent it calls</p> <p>14 for a legal conclusion. You can answer.</p> <p>15 A. I had a larger house. I didn't have time</p> <p>16 to shop around. My husband was very stressed, I had</p> <p>17 to get him out of that FEMA trailer. And I got into</p> <p>18 a larger house and I decided to go ahead and try to</p> <p>19 furnish it the best I could to enjoy it. Yes, so I</p> <p>20 got an extra bedroom set.</p> <p>21 Q. (By Mrs. Locke) Sure. Are you claiming</p> <p>22 that Nationwide owes you for the extra bedroom set?</p> <p>23 MR. CARTER: Same objection.</p> <p>24 A. Well, if I hadn't lost my home I wouldn't</p> <p>25 have bought it. I had to replace furniture the best</p>	<p>1 A. Yes. It's for a lot of furniture that I</p> <p>2 had to replace and put in my house for bedding, for</p> <p>3 furniture. Like living rooms set, refrigerator, TV</p> <p>4 --</p> <p>5 Q. You said --</p> <p>6 A. Mattresses, all that, at Ashley Furniture</p> <p>7 Store at Baton Rouge.</p> <p>8 Q. -- Sorry, I didn't mean to interrupt you</p> <p>9 there.</p> <p>10 A. Okay.</p> <p>11 Q. You said you old home had two bedrooms and</p> <p>12 we went through some pictures during the last</p> <p>13 deposition --</p> <p>14 A. Uh-huh (Affirmative Response).</p> <p>15 Q. -- of that. How many bedrooms did your</p> <p>16 new home have?</p> <p>17 A. Four.</p> <p>18 Q. Do you know approximately how many square</p> <p>19 feet your new home had?</p> <p>20 A. I think it was around 1,800.</p> <p>21 Q. It was larger than your old home; is that</p> <p>22 right?</p> <p>23 A. Right.</p> <p>24 Q. And so it required more furnishings than</p> <p>25 your --</p>
Page 83	Page 85
<p>1 I could, make my home livable.</p> <p>2 Q. In your old home at Winters Lane, did you</p> <p>3 have the two twin mattresses?</p> <p>4 A. I had chairs, folding chairs and stuff</p> <p>5 like that for extra company when they came. I</p> <p>6 folded out and the kids slept on them. I had blow</p> <p>7 up mattresses and stuff like that.</p> <p>8 Q. But you didn't have two mattress sets,</p> <p>9 twin mattress sets?</p> <p>10 A. No, I didn't. But rather -- since I had</p> <p>11 the room, rather than buy all the blow-up chairs and</p> <p>12 fold out chairs and the blow up mattresses and all</p> <p>13 that, I decided to get the twin beds for the</p> <p>14 grandkids when they came.</p> <p>15 Q. If you look at Bates number 484, which is</p> <p>16 just -- if you just flip one page over on Defense</p> <p>17 Exhibit 223. We're going to be looking at Bates 484</p> <p>18 through 488. It appears that that is all one</p> <p>19 receipt. But you can tell me if I'm reading that</p> <p>20 incorrectly.</p> <p>21 A. From 484 through 486?</p> <p>22 Q. 488.</p> <p>23 A. Through 488? Yes.</p> <p>24 Q. Can you tell me what this is a receipt</p> <p>25 for?</p>	<p>1 A. Other one, uh-huh (Affirmative Response).</p> <p>2 Q. Is that correct?</p> <p>3 A. Correct.</p> <p>4 Q. Did you furnish all four bedrooms in your</p> <p>5 new home?</p> <p>6 A. Yes.</p> <p>7 Q. Your old home also had a sun room that was</p> <p>8 used as a dining room?</p> <p>9 A. Correct.</p> <p>10 Q. And a kitchen and hallway area, if I'm</p> <p>11 remembering correctly; is that right?</p> <p>12 A. (Nodded Head Affirmatively).</p> <p>13 Q. And a utility room; is that right?</p> <p>14 A. Uh-huh (Affirmative Response).</p> <p>15 Q. Were there any other rooms in the main</p> <p>16 part of the house that I'm -- that I'm leaving out?</p> <p>17 A. The kitchen area by the living room kind</p> <p>18 of between the kitchen and the living room. It was</p> <p>19 all a big open area.</p> <p>20 Q. So your old home had the two bedrooms, the</p> <p>21 kitchen area, the hallway, the sun room, the utility</p> <p>22 room as well as the garage, right?</p> <p>23 A. Uh-huh (Affirmative Response). And two</p> <p>24 bathrooms.</p> <p>25 Q. And your new home had four bedrooms and</p>

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23 (Pages 86 to 89)

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<p>1 also I imagine had a kitchen?</p> <p>2 A. Yes.</p> <p>3 Q. Did it have a separate kitchen area?</p> <p>4 A. It all open, blended together. But it was</p> <p>5 -- yeah, it was definitely a kitchen.</p> <p>6 Q. Did it have a separate dining room?</p> <p>7 A. Yes.</p> <p>8 Q. And it probably had a hall --</p> <p>9 A. Well, actually it didn't -- it wasn't a</p> <p>10 separate closed in dining room. It was an open area</p> <p>11 as much as we could get it like ours was on Winters</p> <p>12 Lane.</p> <p>13 Q. Did you furnish it as a -- with separate</p> <p>14 dining room furniture?</p> <p>15 A. Yes.</p> <p>16 Q. Did your new home have a utility room as</p> <p>17 well?</p> <p>18 A. Yes.</p> <p>19 Q. And a garage?</p> <p>20 A. Well, actually it had a utility room</p> <p>21 between the kitchen and the garage.</p> <p>22 Q. So the new home also had a garage then?</p> <p>23 A. Yes.</p> <p>24 Q. How many bathrooms did the new home have?</p> <p>25 A. Two.</p>	<p>1 A. Uh-huh (Affirmative Response).</p> <p>2 Q. Is that insurance on the furniture?</p> <p>3 A. Yes.</p> <p>4 Q. Are you asking Nationwide to reimburse you</p> <p>5 for the insurance that you paid for on this new</p> <p>6 furniture?</p> <p>7 A. I wouldn't have been buying the furniture</p> <p>8 if Nationwide had paid me like they should have.</p> <p>9 So, yes, I'm asking it.</p> <p>10 Q. If you look up a couple of lines, the</p> <p>11 third item from the bottom. It says rest 50</p> <p>12 mattress --</p> <p>13 A. Uh-huh.</p> <p>14 Q. -- 439. Did you also purchase a mattress</p> <p>15 from Ashley furniture here?</p> <p>16 A. I bought one from Ashley Furniture, one</p> <p>17 set and I bought two from Mattress King.</p> <p>18 Q. If I could direct your attention to</p> <p>19 Politz487. The very top item says 52-inch DLP cable</p> <p>20 card?</p> <p>21 A. Uh-huh.</p> <p>22 Q. Is that a TV?</p> <p>23 A. Yes, it is.</p> <p>24 Q. Now, in your contents list on Defense</p> <p>25 Exhibit 226, on Bates 1198 you've listed a 50-inch</p>
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<p>1 Q. Any other rooms in the new home that I --</p> <p>2 we haven't listed?</p> <p>3 A. Four bedrooms, two baths --</p> <p>4 VIDEOGRAPHER: Two minutes.</p> <p>5 A. -- utility room and a double garage.</p> <p>6 Q. So the items that are listed in Politz --</p> <p>7 Why don't we switch tapes. Sorry about that.</p> <p>8 VIDEOGRAPHER: Off record at 10:55.</p> <p>9 Change tape two.</p> <p>10</p> <p>11 (Off the record.)</p> <p>12</p> <p>13 VIDEOGRAPHER: Back on record at 10:56.</p> <p>14 Starting tape three.</p> <p>15 Q. (By Mrs. Locke) Of the furniture items</p> <p>16 that are listed in Politz484 through 488, did you</p> <p>17 actually purchase all of these items and receive</p> <p>18 delivery of these items?</p> <p>19 A. Yes.</p> <p>20 Q. If I could direct your attention to</p> <p>21 Politz485.</p> <p>22 A. Okay.</p> <p>23 Q. One of the last items listed is elite --</p> <p>24 I'm sorry, three furniture protection elite for</p> <p>25 \$199.99; do you see that?</p>	<p>1 TV?</p> <p>2 A. That's the one I lost. Where was that at?</p> <p>3 Q. On page 1198 of Defense Exhibit 226,</p> <p>4 you've listed a 50-inch TV?</p> <p>5 A. Yes.</p> <p>6 Q. And that was the TV that you lost,</p> <p>7 correct?</p> <p>8 A. Yes.</p> <p>9 Q. And the new TV you purchased was a larger</p> <p>10 TV; is that right?</p> <p>11 A. It was 52. It thought it was 50, but it</p> <p>12 looks like it was 52.</p> <p>13 Q. Now on -- so your understanding is that</p> <p>14 you did purchase a 52-inch television; is that</p> <p>15 right?</p> <p>16 A. That's what I understand now. I thought I</p> <p>17 had gotten a 50. So I may have reported a 50, I</p> <p>18 don't remember.</p> <p>19 Q. But you old television was a 50-inch?</p> <p>20 A. Yes.</p> <p>21 Q. And on Politz487 it also says five warn TV</p> <p>22 --</p> <p>23 A. Uh-huh.</p> <p>24 Q. -- for \$299.95?</p> <p>25 A. Uh-huh.</p>

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24 (Pages 90 to 93)

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<p>1 Q. Is that a warranty that you purchased on 2 the TV? 3 A. It is. 4 Q. And are you also asking Nationwide to pay 5 for the TV warranty? 6 A. Yes. Because I had a warranty on my other 7 one when I bought it. I buy warranties like that. 8 Okay. And I had paid for a warranty on the one I 9 lost. 10 Q. On the 50-inch TV that you listed in your 11 living room contents list, how old was that TV? 12 A. Probably about five or six years old. 13 Q. Do you recall where you purchased it 14 originally? 15 A. At Sears. 16 Q. And you purchased a warranty on that 17 originally as well? 18 A. Do what? 19 Q. And you purchased -- when you purchased 20 the 50-inch TV from Sears, did you also purchase a 21 warranty on it? 22 A. Yes. 23 Q. If you look at Bates 488. At the bottom 24 of the page it says merchandise total \$9,049.96; do 25 you see that?</p>	<p>1 Q. Olinde's, do you know -- 2 A. Olinde's is where I bought it from. 3 Q. Is that affiliated with Ashley Furniture? 4 A. Yes, it is. Well they sell Ashley 5 furniture, a lot of it. It's what they mostly -- 6 Q. Is Ashley furniture a brand of furniture? 7 A. Yes, it is. 8 Q. So you would agree that -- 9 A. It looks like a duplicate somehow got in 10 there by mistake. 11 Q. -- Okay. So you would agree that, you're 12 not asking Nationwide to pay double on that -- 13 A. No. 14 Q. -- \$9,299 -- 15 A. 92 -- I'm not asking them to pay double. 16 That must be what you were referring to a while ago. 17 That was a mistake that just happened. 18 Q. If you could turn to Bates 497. It's 19 actually before that. I think you're a little too 20 far. It has a Cable One logo at the top. You're -- 21 keep going back. There you go. Keep going back. 22 There you go right there. 23 A. Okay. 24 Q. So we're looking at Bates 497 on Defense 25 Exhibit 223. Do you recognize this receipt as a</p>
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<p>1 A. Uh-huh (Affirmative Response). 2 Q. And then there's a -- 3 A. Well, I think it's 92,000 -- I mean, 4 9,299, isn't it? 5 Q. Correct. And there's a -- so there's a 6 \$250 charge that's also added? 7 A. Delivery charge, yes. 8 Q. So the total amount including delivery of 9 all the items you purchased was approximately 10 \$9,300; is that right? 11 A. Yes. 12 Q. But the exact figure is 9,299.96, right? 13 A. Correct. 14 Q. Now, if you could turn to Bates 494. And 15 look at the receipts beginning on page 494 of 16 Defense Exhibit 223 through 496. So, three pages. 17 And if I could focus your attention on Bates 496. 18 The very bottom it says sales total is 9,299.96; do 19 you see that? 20 A. Yes. 21 Q. Is it fair to say that the receipt that's 22 in Politz 494 to 496 duplicates the receipts that we 23 just looked at beginning on Bates 484 and ending on 24 488? 25 A. It looks like it does.</p>	<p>1 cable installation bill? 2 A. It looks like what it was. 3 Q. Is Cable One a -- 4 A. Cable One was what I had in Gulfport. 5 Q. And under services it list installation 6 fee \$30; do you see that? 7 A. Uh-huh (Affirmative Response). 8 Q. And it also list digital basic cable in 9 the amount of \$52.45; do you see that? 10 A. I do. 11 Q. Are you claiming that Nationwide should 12 pay you for your basic cable bill? 13 A. It was -- yes, I am. Because it was 14 something I had paid for that I had in my home I 15 lost. Therefore I had to pay for it again and it 16 was Nationwide -- it was the storm's fault that it 17 happened, so I felt like they owed it to me. 18 Q. So you did have cable in your previous 19 home in -- 20 A. Yes. 21 Q. -- in Long Beach; is that right? 22 A. Yes. I was trying to get back to where I 23 was to be comfortable. 24 Q. So you would agree with me that had the 25 storm not occurred you would have still had cable in</p>

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25 (Pages 94 to 97)

Page 94	Page 96
<p>1 your home in Long Beach; is that right.</p> <p>2 A. Yeah. And I had paid for it, Nationwide</p> <p>3 didn't. But I lost it and I felt like they owed me</p> <p>4 that to get it back.</p> <p>5 Q. Do you think Nationwide is obligated to</p> <p>6 pay your -- continuing to pay your monthly cable</p> <p>7 bill?</p> <p>8 MR. CARTER: Objection to the extent calls</p> <p>9 for a legal conclusion?</p> <p>10 A. That's not for a cable bill. I pay my own</p> <p>11 cable bill. That's for installation and being able</p> <p>12 to get back to cable where I wanted. I never sent</p> <p>13 y'all any bills for cable unless it was a mistake.</p> <p>14 Q. (By Mrs. Locke) Looking at this receipt</p> <p>15 here, there's a installation fee of \$30, correct?</p> <p>16 A. Uh-huh (Affirmative Response).</p> <p>17 Q. So you're claiming that Nationwide owes</p> <p>18 you to set up the new cable; is that right?</p> <p>19 A. Yes, I do.</p> <p>20 Q. But the digital basic cable \$52.45, are</p> <p>21 you claiming that that's a installation fee?</p> <p>22 A. No, that's what I'm claiming that I had to</p> <p>23 get -- to pay to get back where I was in my home on</p> <p>24 Gates when the storm hit. Why should -- I mean, I</p> <p>25 have insurance for my home and for my loss and all</p>	<p>1 Q. Do you recognize these receipts as</p> <p>2 prescriptions for --</p> <p>3 A. Yes.</p> <p>4 Q. -- Mr. Politz?</p> <p>5 A. It's where we -- when we wound up in</p> <p>6 Alabama, we was in a town called Chelsea, Alabama</p> <p>7 and we had to stay there for five months. And I</p> <p>8 went to -- he had to have his medication, I did too.</p> <p>9 So we went to the store and set up getting our</p> <p>10 prescriptions refilled. Trying to get our medicines</p> <p>11 back that we lost and all this type of thing.</p> <p>12 Q. Quinapril was a medication that Mr. Politz</p> <p>13 was on before Hurricane Katrina, correct?</p> <p>14 A. Yes.</p> <p>15 Q. Now if you focus on Politz522, which is on</p> <p>16 the left side of the page. The left side of the</p> <p>17 page.</p> <p>18 A. Okay.</p> <p>19 Q. On the top left side of Bates 522, there's</p> <p>20 a date of September 12, 2005 for Quinapril; do you</p> <p>21 see that?</p> <p>22 A. This one right here? September the --</p> <p>23 yeah, the 12th, yes.</p> <p>24 Q. And then focusing on the next page on the</p> <p>25 top left side of the next page. There's also a</p>
Page 95	Page 97
<p>1 that. Why shouldn't, when I have all that insurance</p> <p>2 coverage, why shouldn't they pay to make me as</p> <p>3 comfortable as I was before the storm.</p> <p>4 Q. I guess I don't understand what you think</p> <p>5 the digital basic cable dollar amount for \$52.45</p> <p>6 represents? You agree --</p> <p>7 A. It represents me being able to get cable</p> <p>8 or not being able to get cable.</p> <p>9 Q. -- So you would agree me that it's</p> <p>10 services for cable? It's not installation services?</p> <p>11 A. Yeah, it's services for cable. Part of it</p> <p>12 was that. But it's services that had the storm not</p> <p>13 come I wouldn't have had it. Okay.</p> <p>14 Q. You agree with me you had cable in your</p> <p>15 own home?</p> <p>16 A. Yes, I did.</p> <p>17 Q. And you paid monthly on a cable bill in</p> <p>18 your old home, correct?</p> <p>19 A. Yes.</p> <p>20 Q. I'm going to ask you to skip ahead.</p> <p>21 A. Okay.</p> <p>22 Q. To -- beginning at Bates number 522 on</p> <p>23 Defense Exhibit 223. And it's a page that begins</p> <p>24 with receipts from a store called Chelsea.</p> <p>25 A. Okay.</p>	<p>1 receipt for October 11, 2005 for Mr. Politz for</p> <p>2 Quinapril; do you see that?</p> <p>3 A. Yes.</p> <p>4 Q. So, are you claiming that Nationwide owes</p> <p>5 you for Mr. Politz's medications, not only in</p> <p>6 September but also October of 2005?</p> <p>7 A. I don't understand about the October. The</p> <p>8 September, a lot of it was replacements. We left</p> <p>9 you remember -- if you remember, the storm -- we</p> <p>10 left expecting to be gone one night and come back.</p> <p>11 So we didn't take all those medicines. We never</p> <p>12 dreamed we were going to loose everything.</p> <p>13 Q. Right.</p> <p>14 A. And so we couldn't -- we had to get some</p> <p>15 more that might duplicate.</p> <p>16 Q. Sure.</p> <p>17 A. But, I mean --</p> <p>18 Q. So for September 12, 2005, looking on this</p> <p>19 side of the page, those would have been medications</p> <p>20 that might have been duplicated, right?</p> <p>21 A. Possibly.</p> <p>22 Q. But October of 2005, Mr. Politz had to</p> <p>23 continue taking his medication, right?</p> <p>24 A. It was a maintenance. Yes, he had to have</p> <p>25 it all the time.</p>



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26 (Pages 98 to 101)

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<p>1 Q. Are you claiming that Nationwide then owes 2 you for Mr. Politz's medicines into October of 2005? 3 A. No. I think that was somehow got in there 4 by mistake. 5 Q. So, be fair to say that in the month or so 6 after Katrina you're expecting Nationwide to pay to 7 reestablish your medications? But medications that 8 were gotten, you know, in October of '05, you're not 9 claiming Nationwide is responsible for; is that -- 10 A. No, he was taking them as a maintenance. 11 Q. -- So if you turn to the very next page 12 and it's Politz Bates 525. It's kind of hard to see 13 looking on this side of the page. 14 A. Okay. 15 Q. On the top right side, again, it's a 16 receipt for Quinapril for October 10, 2005; do you 17 see that? 18 A. Quinapril? 19 Q. On the top right, right here. 20 A. Okay. 21 Q. For Quinapril for October 10, 2005? 22 A. Uh-huh (Affirmative Response). 23 Q. Are you claiming that Nationwide should 24 pay for Mr. Politz's medications in November of 25 2005?</p>	<p>1 A. No. 2 Q. If you would turn to Bates number 529. 3 And it's going to be kind of hard to tell, but it's 4 -- I think that may be it. Yeah, that's it. 5 A. Uh-huh. 6 Q. You see the Bates 529 right there? 7 A. Okay. 8 Q. Now, do you recognize these as your 9 prescriptions? 10 A. Yes. 11 Q. Now, Benazepril that's a drug for high 12 blood pressure; is that correct? 13 A. Yes, it is. 14 Q. And you were taking that before Hurricane 15 Katrina? 16 A. Yes. 17 Q. On the receipt on the top right side of 18 that page the date is September 1, 2005. That would 19 be medication to reestablish your prescription, 20 correct? 21 A. Right. 22 Q. So you would expect Nationwide to 23 reimburse you for that prescription? 24 A. Yes. 25 Q. But after that prescription you're not</p>
Page 99	Page 101
<p>1 A. No. 2 Q. And then if you turn the page to Politz 3 Bates 526 on this -- on this side of the page. 4 A. Okay. 5 Q. The very bottom receipt Mr. Politz has a 6 receipt for Quinapril for December 7, 2005. You're 7 also not claiming that Nationwide owes you for that 8 receipt, correct? 9 A. No. My pharmacy bills was all the in like 10 a basket and I didn't have time to get them all 11 straightened out. And so, I handed them to the 12 attorney that was with me last time when I was 13 fixing to have that deposition. And to the best of 14 his ability, I'm sure that he logged this all 15 together. And somehow or the other maybe a 16 duplicate got put in there again. But, no, I don't 17 expect Nationwide to pay for duplicate medications. 18 Q. And we've looked at Quinapril for 19 Mr. Politz but he was also on other medications too, 20 correct? 21 A. Yes. 22 Q. And so you're not expecting Nationwide to 23 pay for -- 24 A. No. 25 Q. -- those medications either?</p>	<p>1 expecting Nationwide to reimburse you; is that 2 correct? 3 A. Correct. 4 Q. So if you turn -- if you look at the very 5 next page. Don't -- if you don't flip the page, but 6 just look at the right side of page Bates 530. 7 You'll see receipts for Benazepril the top left for 8 September 27, 2005? 9 A. It's a maintenance thing that I have to 10 take monthly. And I only expect Nationwide to pay 11 for it the first month while I was getting 12 established to cover what I lost. 13 Q. And that would be true for all of the 14 medications that you were taking, correct? 15 A. Correct. 16 Q. I'm going to direct your attention to 17 Bates number 534. Actually, I'm sorry, 536. 18 A. Okay. 19 Q. We've seen a receipt that looks similar to 20 this, but this is a little bit different. It's the 21 same company, D&amp;J Tree and Debris Removal; do you 22 see that? 23 MR. CARTER: Object to form. 24 A. Yes. 25 Q. Do you recognize this receipt?</p>



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27 (Pages 102 to 105)

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<p>1 A. I recognize -- I'm trying to remember it</p> <p>2 good.</p> <p>3 Q. Do you recognize Mr. Politz's signature in</p> <p>4 the middle of the page?</p> <p>5 A. His or mine?</p> <p>6 Q. Is that one yours?</p> <p>7 A. This one is mine.</p> <p>8 Q. Okay. And you recognize it as yours?</p> <p>9 A. Yeah.</p> <p>10 Q. The receipt states slab removal \$2,500.</p> <p>11 But you testified earlier that you did not have your</p> <p>12 slab removed. Can you explain what this receipt is</p> <p>13 for?</p> <p>14 A. That was what it -- this, I don't know how</p> <p>15 it got in there with that. I guess it was just</p> <p>16 something I wanted to keep and it threw it in the</p> <p>17 receipt box. Because the slab is still there. This</p> <p>18 is what it was going to cost -- he was going to do</p> <p>19 it for \$3,500. The slab and pick up. And I didn't</p> <p>20 have the money to get the slab removed. So he</p> <p>21 quoted me that that's what it would be when he come</p> <p>22 back to do it. And I still haven't got him back to</p> <p>23 do it. I just paid him for the thousand that he had</p> <p>24 done. So this has not been paid yet.</p> <p>25 Q. So you're not claiming that Nationwide</p>	<p>1 for topsoil Bobcat work, correct?</p> <p>2 A. Uh-huh (Affirmative Response). Yes.</p> <p>3 Sorry.</p> <p>4 Q. Are you claiming that the wind solely</p> <p>5 damaged the topsoil and therefore requires -- and</p> <p>6 required you to undergo this Bobcat work?</p> <p>7 MR. CARTER: Object to form and</p> <p>8 foundation. To the extent it calls for an expert</p> <p>9 conclusion.</p> <p>10 THE WITNESS: You still want an answer?</p> <p>11 Do I need to answer?</p> <p>12 MR. CARTER: You can answer.</p> <p>13 THE WITNESS: Okay.</p> <p>14 MR. CARTER: Unless I tell you not to</p> <p>15 answer it's okay to answer any question.</p> <p>16 THE WITNESS: Okay.</p> <p>17 A. I feel that none of this would have been</p> <p>18 done had that storm not happened it wouldn't have</p> <p>19 needed to be done. So the storm happened,</p> <p>20 Nationwide is who I had insurance with. And</p> <p>21 whatever happened, the topsoil got all messed up.</p> <p>22 It destroyed my house.</p> <p>23 Q. (By Mrs. Locke) Now, you agree that -- we</p> <p>24 established this during the last deposition. That,</p> <p>25 flood waters did reach your property? Meaning --</p>
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<p>1 owes you for this receipt; is that right?</p> <p>2 A. Well --</p> <p>3 MR. CARTER: Object to form. To the</p> <p>4 extent it calls for a legal conclusion.</p> <p>5 A. -- I feel that they will owe me that</p> <p>6 because I have to have it done before I can rebuild.</p> <p>7 Q. (By Mrs. Locke) But you haven't currently</p> <p>8 had it done?</p> <p>9 A. No.</p> <p>10 Q. And so this isn't a receipt that reflects</p> <p>11 work that's actually been performed?</p> <p>12 A. No. This is just an estimate of what it's</p> <p>13 going to cost me to get it done. And that's if I</p> <p>14 can still get the same man to do it, because it's</p> <p>15 going to cost me a lot more. Because he figured</p> <p>16 that in partially. Okay.</p> <p>17 Q. Let's turn back to Politz534. Just one</p> <p>18 page backwards actually. And this is a receipt that</p> <p>19 we've looked at earlier today but in a different</p> <p>20 exhibit, correct?</p> <p>21 A. Uh-huh (Affirmative Response).</p> <p>22 Q. Is that a yes?</p> <p>23 A. Yes. Sorry.</p> <p>24 Q. And we looked at this before. Part of the</p> <p>25 work was for debris removal and part of the work was</p>	<p>1 A. Uh-huh.</p> <p>2 Q. -- the ground of your property, correct?</p> <p>3 A. Yes.</p> <p>4 Q. Do you agree that the water contributed to</p> <p>5 the damage to your topsoil?</p> <p>6 MR. CARTER: Object to foundation and</p> <p>7 form. And to the extent it calls for an expert</p> <p>8 conclusion.</p> <p>9 A. Possibly. But it rained for hours and</p> <p>10 hours and stormed before the water ever got there.</p> <p>11 So I feel like my house was blown away before the</p> <p>12 water reached. And so that ground was soaked. And</p> <p>13 so anything that hit it with that type of wind would</p> <p>14 have made an impression on the ground. It would</p> <p>15 have had some damage to it.</p> <p>16 Q. (By Mrs. Locke) I'm going to direct your</p> <p>17 attention to Bates number 540?</p> <p>18 A. Okay.</p> <p>19 Q. Do you have a cell phone with Cingular?</p> <p>20 A. I do -- well, I did have one with</p> <p>21 Cingular.</p> <p>22 Q. Is this a old cell phone that you had?</p> <p>23 A. I think I might have got that in Alabama.</p> <p>24 Q. You see the number on the middle --</p> <p>25 A. I don't remember. But I know I bought a</p>

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28 (Pages 106 to 109)

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<p>1 cell from Cingular there, I think.</p> <p>2 Q. The bill, if you look in the middle, sort</p> <p>3 of top middle of the page, user name, John Politz;</p> <p>4 do you see that?</p> <p>5 A. On 540? Yes, right here.</p> <p>6 Q. John Politz.</p> <p>7 A. Uh-huh.</p> <p>8 Q. And there's a 205 area code for --</p> <p>9 A. Yeah, that was an Alabama area code.</p> <p>10 Q. -- Was this Mr. Politz's or your cell</p> <p>11 phone?</p> <p>12 A. I think it was both of ours. We both used</p> <p>13 it, but it was under his name. We both bought it</p> <p>14 together.</p> <p>15 Q. Did you have a cell phone that you used</p> <p>16 prior to Hurricane Katrina?</p> <p>17 A. Yes.</p> <p>18 Q. Did you keep that cell phone while you</p> <p>19 were in Alabama?</p> <p>20 A. It went out right afterward, right after I</p> <p>21 got there and I had to buy one if I remember</p> <p>22 correctly.</p> <p>23 Q. So your contract expired or something?</p> <p>24 A. No.</p> <p>25 MR. CARTER: Object to form.</p>	<p>1 that?</p> <p>2 A. Uh-huh (Affirmative Response).</p> <p>3 Q. And you agree with me that August 20 was</p> <p>4 before Hurricane Katrina?</p> <p>5 A. Yeah.</p> <p>6 Q. The wireless number on the left side of</p> <p>7 the page, (205)317-5055; do you see that?</p> <p>8 A. Uh-huh (Affirmative Response).</p> <p>9 Q. That's the same wireless phone number</p> <p>10 that's listed on Politz540; is that right?</p> <p>11 A. Well, I guess that was mine before it went</p> <p>12 out or before I had to buy a new one. If you</p> <p>13 remember, I just told you I had to buy one when I</p> <p>14 was in Alabama.</p> <p>15 Q. So you had the same wireless number both</p> <p>16 before Hurricane Katrina and if you look at Bates</p> <p>17 540 into January 2006; do you see that?</p> <p>18 A. Yes.</p> <p>19 Q. And are you claiming that Nationwide is</p> <p>20 responsible for paying these two bills?</p> <p>21 MR. CARTER: Objection to the extent it</p> <p>22 calls for a legal conclusion.</p> <p>23 A. Not the one before Katrina, but the one</p> <p>24 after I had to get a new phone and I wanted the same</p> <p>25 number because I was dealing with FEMA and all the</p>
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<p>1 A. I don't remember if it got damaged or</p> <p>2 what. I just know that I had to have a phone to</p> <p>3 communicate with FEMA, SBA and Nationwide and</p> <p>4 everybody else that I was needing to talk to at that</p> <p>5 time.</p> <p>6 Q. (By Mrs. Locke) When you were in Alabama</p> <p>7 you rented a home there, correct?</p> <p>8 A. Correct.</p> <p>9 Q. Did you have land line in your home?</p> <p>10 A. Yes.</p> <p>11 Q. So are you claiming that Nationwide owes</p> <p>12 you for your cell phone bill that you had in</p> <p>13 Alabama?</p> <p>14 MR. CARTER: Object to the extent it calls</p> <p>15 for a legal conclusion.</p> <p>16 A. Parts of it. My personal things, no. But</p> <p>17 the business end of it that cost me a lot of money,</p> <p>18 yes. Because it was all the businesses between</p> <p>19 insurance, FEMA, everything to do with that storm.</p> <p>20 Q. (By Mrs. Locke) If you could turn to</p> <p>21 Bates 542.</p> <p>22 A. Okay.</p> <p>23 Q. This is another Cingular bill. Will you</p> <p>24 look at the top right corner, the dates are</p> <p>25 August 20, 2005 to September 19, 2005; do you see</p>	<p>1 insurances and everything. And I had already given</p> <p>2 them that number. So I was wanting to keep the same</p> <p>3 number. I don't remember exactly how all that went</p> <p>4 to tell you the truth.</p> <p>5 Q. If you look at Bates 542. The total</p> <p>6 current charges on the bill was \$101.28; do you see</p> <p>7 that?</p> <p>8 A. Uh-huh (Affirmative Response).</p> <p>9 Q. But after the storm on December -- between</p> <p>10 December 20, 2005 and January 19, 2006, your total</p> <p>11 monthly charges if you look on the back of that</p> <p>12 bill, that Politz 541 are \$68.61?</p> <p>13 A. 541?</p> <p>14 Q. 541. 541.</p> <p>15 A. Oh, on back of the bill, 68.61.</p> <p>16 Q. This one right here.</p> <p>17 A. Uh-huh (Affirmative Response).</p> <p>18 Q. 68.61. So would you agree with me that</p> <p>19 your cell phone bill actually went down after the</p> <p>20 storm?</p> <p>21 A. No.</p> <p>22 MR. CARTER: Object to form.</p> <p>23 A. Probably that one month it might -- might</p> <p>24 have been down, but other than that it was up most</p> <p>25 of the time. If you check for the next year, I know</p>

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29 (Pages 110 to 113)

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<p>1 it was an average of being up.</p> <p>2 Q. If you could look at Bates 551. I'm going</p> <p>3 to ask you to jump forward a couple of pages.</p> <p>4 A. Okay, 551. Okay.</p> <p>5 Q. I'm looking at the -- it's a BellSouth</p> <p>6 bill, page -- on Bates 551 to 552; do you see that?</p> <p>7 A. BellSouth, yeah.</p> <p>8 Q. 551 to 552?</p> <p>9 A. BellSouth, yes.</p> <p>10 Q. You see the BellSouth bill?</p> <p>11 A. Uh-huh (Affirmative Response).</p> <p>12 Q. And you see that on Bates 551 the total</p> <p>13 amount due is a negative \$93.23; do you see that?</p> <p>14 A. Yes.</p> <p>15 Q. And then do you recognize your handwriting</p> <p>16 below?</p> <p>17 A. Yeah.</p> <p>18 Q. And it says, "They will mail me a credit</p> <p>19 check." Do you see that?</p> <p>20 A. Yeah.</p> <p>21 Q. You're not claiming that Nationwide owes</p> <p>22 you for credit that you received, are you?</p> <p>23 A. No. That's just notes I made to myself to</p> <p>24 remember what I talked to them about.</p> <p>25 Q. And then the same would be true for</p>	<p>1 correct?</p> <p>2 A. No, not that. That was a credit that they</p> <p>3 gave me due to hurricane relief of probably that</p> <p>4 five or six hundred dollar bill that I had had to</p> <p>5 pay.</p> <p>6 Q. If you could look at Bates 554?</p> <p>7 A. Okay.</p> <p>8 Q. This is Mississippi power bill?</p> <p>9 A. Yes.</p> <p>10 Q. In the middle of the page there's a date</p> <p>11 of August 23rd through August 29th; do you see that?</p> <p>12 A. August -- yeah.</p> <p>13 Q. And you would agree with me that that's</p> <p>14 before Hurricane Katrina, correct?</p> <p>15 A. Yeah.</p> <p>16 Q. And the balance that was due on the bottom</p> <p>17 of the page is \$33.60; do you see that?</p> <p>18 A. Correct.</p> <p>19 Q. You're not claiming that Nationwide is</p> <p>20 responsible to pay your power bill before Hurricane</p> <p>21 Katrina are you?</p> <p>22 A. No. It's like I said, some of these</p> <p>23 things got in here by mistake. I haven't figured it</p> <p>24 all out. I don't know if you have or not. But I'm</p> <p>25 sure that it came to quite a bit. But it was the</p>
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<p>1 Politz552 on Bates -- on Defense Exhibit 223. It's</p> <p>2 a BellSouth bill where there's a credit of \$94.79;</p> <p>3 do you see that?</p> <p>4 A. No. What Bates number is that?</p> <p>5 Q. 552. The one that's right behind here.</p> <p>6 A. Oh, okay. The 94.79?</p> <p>7 Q. Yep. There's a --</p> <p>8 A. Yeah, Katrina relief credit. Because my</p> <p>9 bill, I don't even know where it's at or if it's</p> <p>10 even in here, but it went to around five or six</p> <p>11 hundred dollars one month. And I called them up and</p> <p>12 told them that it was -- everything was just about</p> <p>13 Katrina. If there was any relief they could give me</p> <p>14 in any way on that bill. Because a lot of it was</p> <p>15 800 numbers and I was just on hold and all that.</p> <p>16 And that's when I decided I think during that time</p> <p>17 to go ahead and get a land phone so I could use the</p> <p>18 800 number and not have to use so much on the cell</p> <p>19 phone. But I'm not sure if this was what was there</p> <p>20 at that time or not. I remember I had gotten both.</p> <p>21 At first I was going to use just the telephone and</p> <p>22 then I decided, well, it's going to cost me too much</p> <p>23 money. I'm going to have to get a land phone too.</p> <p>24 Q. The \$94.79 credit that's listed of 552,</p> <p>25 again, Nationwide wouldn't owe you what money,</p>	<p>1 best we could do at the time with what we had.</p> <p>2 Q. If you could look at Bates 555 and 556.</p> <p>3 Again, it's another BellSouth bill, 555 and 556?</p> <p>4 A. Uh-huh (Affirmative Response). Whoops,</p> <p>5 excuse me.</p> <p>6 Q. Is -- was BellSouth your land line</p> <p>7 provider?</p> <p>8 A. I don't remember. That was four years</p> <p>9 ago.</p> <p>10 Q. Did you have a land line in your home at</p> <p>11 Winters Lane?</p> <p>12 A. Yes.</p> <p>13 Q. And you had a land line in your home in</p> <p>14 Alabama, correct?</p> <p>15 A. Yes.</p> <p>16 Q. And you had a land line in your home in</p> <p>17 Gulfport, correct?</p> <p>18 A. Yes.</p> <p>19 Q. Do you agree with me that a land line is</p> <p>20 also a continuing maintenance like that you --</p> <p>21 A. Yes.</p> <p>22 MR. CARTER: Object to form.</p> <p>23 Q. (By Mrs. Locke) Are you claiming that</p> <p>24 Nationwide is responsible for paying -- continuing</p> <p>25 to pay your home land line bill?</p>

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30 (Pages 114 to 117)

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<p>1 MR. CARTER: Object to form.</p> <p>2 A. Partly. Because a lot of it was business</p> <p>3 that I was tending to due to the storm and that I</p> <p>4 wouldn't not -- I wouldn't have had other than that.</p> <p>5 But the average calls to my family, to my friends,</p> <p>6 to acquaintances, no, I don't expect Nationwide to</p> <p>7 pay for any of that.</p> <p>8 Q. (By Mrs. Locke) I'm going to ask you to</p> <p>9 turn to Bates 570?</p> <p>10 A. Okay.</p> <p>11 Q. On Bates 570 on the left hand side of the</p> <p>12 page there's a Public's receipt; do you see that?</p> <p>13 A. Uh-huh (Affirmative Response).</p> <p>14 Q. And there are a lot of different grocery</p> <p>15 receipts --</p> <p>16 A. Uh-huh (Affirmative Response).</p> <p>17 Q. -- in this pack, but I'm going to focus on</p> <p>18 a couple of specific ones. The bottom of this</p> <p>19 page -- I'm -- the bottom of this page you'll see</p> <p>20 that it says amount \$61.93; do you see that?</p> <p>21 A. Uh-huh (Affirmative Response).</p> <p>22 Q. And you see that it says cash back \$50?</p> <p>23 A. Uh-huh (Affirmative Response).</p> <p>24 Q. Are you asking Nationwide to pay you for</p> <p>25 your cash back of \$50?</p>	<p>1 Q. And you were able to cook there?</p> <p>2 A. Yes.</p> <p>3 Q. And a lot of these receipts are reflected</p> <p>4 in that time period?</p> <p>5 A. In groceries, yes, and stuff to restock</p> <p>6 the kitchen.</p> <p>7 Q. You would agree with me that groceries go</p> <p>8 bad after a certain point in time, correct?</p> <p>9 MR. CARTER: Object to form.</p> <p>10 A. Yes.</p> <p>11 Q. (By Mrs. Locke) And that like your</p> <p>12 medications groceries are a maintenance item,</p> <p>13 correct?</p> <p>14 MR. CARTER: Object to form.</p> <p>15 A. Yes. But when you lose a bunch of them</p> <p>16 that you had just stocked up on, which I did because</p> <p>17 we were having a lot of company coming in for that</p> <p>18 baptismal, twin baptismal and all this kind of</p> <p>19 stuff. I had a freezer full of meats and all my</p> <p>20 cabinets was full of stuff. All because we were</p> <p>21 going to have it that next weekend. And so that was</p> <p>22 a lot of extra money I spent and then I lost it all.</p> <p>23 Q. (By Mrs. Locke) But you would agree with</p> <p>24 me that receipts six months after the storm for</p> <p>25 groceries are likely receipts that you would have</p>
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<p>1 A. Depending on what I used that \$50 for.</p> <p>2 Q. Do you know what you used this \$50 for?</p> <p>3 A. Not right now. This is four years down</p> <p>4 the road. If they would have paid me then I could</p> <p>5 have told them.</p> <p>6 Q. I understand. But these are the receipts</p> <p>7 that we have right now.</p> <p>8 A. Okay.</p> <p>9 Q. And we're trying to establish, you know</p> <p>10 what you think Nationwide is responsible for and</p> <p>11 what they're not responsible for. Are you claiming</p> <p>12 that on grocery receipts like this where there's a</p> <p>13 cash back amount Nationwide is responsible for</p> <p>14 paying you that cash back amount?</p> <p>15 A. Like I said, it depends on what I used it</p> <p>16 for. I don't remember why I got the cash back right</p> <p>17 then. A lot of time it was to go eat something</p> <p>18 before we got established with groceries in the</p> <p>19 house and all that kind of stuff. And yeah, I think</p> <p>20 that they should have. We -- we were paying for</p> <p>21 extended living expenses, which they only covered</p> <p>22 \$6,000 for that. And we had around 18,000.</p> <p>23 Q. In your home in Alabama did you have a</p> <p>24 kitchen?</p> <p>25 A. I did.</p>	<p>1 incurred for groceries had the storm not occurred?</p> <p>2 MR. CARTER: Object to form and</p> <p>3 foundation.</p> <p>4 A. Six months down the road, probably so on</p> <p>5 some things. Some things I didn't even think about</p> <p>6 until six months down the road. Spices, when I go</p> <p>7 to buy a spice, I'd go to cook something. I had all</p> <p>8 kind of spices, everything you could want in my</p> <p>9 kitchen. When I went to get it to cook it, I didn't</p> <p>10 have that spice and I'd have to go out and buy it.</p> <p>11 Spices are very expensive.</p> <p>12 Q. I know that.</p> <p>13 A. Okay.</p> <p>14 Q. I have to say my husband yells at me when</p> <p>15 I ask him to go out and get me nutmeg. Because he's</p> <p>16 like it's \$8 for a little thing of nutmeg.</p> <p>17 A. I know. But when I would have to go get</p> <p>18 something like that that was all part of it, but not</p> <p>19 just regular maintenance.</p> <p>20 Q. Okay. I'm going to direct your attention</p> <p>21 to Bates page 590.</p> <p>22 A. Okay.</p> <p>23 Q. Did you have AT&amp;T credit card?</p> <p>24 A. I used to have one, yeah.</p> <p>25 Q. And you recognize Bates 590 and 591 as a</p>

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<p>1 credit card that you and Mr. Politz had?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. If you look at page 591. This AT&amp;T</p> <p>4 credit card statement itemizes individual purchases;</p> <p>5 do you see that?</p> <p>6 A. Uh-huh (Affirmative Response).</p> <p>7 Q. Is that -- is that a yes?</p> <p>8 A. Yes. Sorry. Yes.</p> <p>9 Q. And this would reflect all the purchases</p> <p>10 that you made in that statement period on this</p> <p>11 credit card?</p> <p>12 A. Yes.</p> <p>13 Q. So, for example, on December 13, 2005 the</p> <p>14 very first item you purchased \$20.62 worth of goods</p> <p>15 from Stop &amp; Shop; do you see that?</p> <p>16 A. Uh-huh (Affirmative Response). Yes.</p> <p>17 Q. Now, if you look with me on the very next</p> <p>18 page, Bates 592. The very top left corner there's a</p> <p>19 receipt for Stop &amp; Shop; do you see that?</p> <p>20 A. Yes.</p> <p>21 Q. And it's the same amount for \$20.62; do</p> <p>22 you see that?</p> <p>23 A. Yes.</p> <p>24 Q. And it's for the date of December 13,</p> <p>25 2005; do you see that?</p>	<p>1 Q. So again, that would be a duplicate</p> <p>2 receipt?</p> <p>3 A. That's a duplicate of this right here,</p> <p>4 21.88. All this are supports for this one.</p> <p>5 Q. Okay. That can help move things along a</p> <p>6 little bit. The credit card statements that are in</p> <p>7 this packet would reflect duplicates of receipts</p> <p>8 that you've provided, correct?</p> <p>9 A. Yes.</p> <p>10 Q. So you're not claiming that Nationwide</p> <p>11 owes for what's on the credit card statement as well</p> <p>12 as the receipts, correct?</p> <p>13 A. I am not.</p> <p>14 Q. Let's turn to Bates 612. It's a receipt</p> <p>15 from Chelsea Animal Hospital; do you see that?</p> <p>16 A. Uh-huh (Affirmative Response).</p> <p>17 Q. And the name of the receipt is Mr. Jason</p> <p>18 Politz. Is he your son?</p> <p>19 A. My husband's son, yes.</p> <p>20 Q. And the receipt is for John Boy; is that a</p> <p>21 dog?</p> <p>22 A. That's my dog.</p> <p>23 Q. That's your dog?</p> <p>24 A. Yes.</p> <p>25 Q. What kind of dog is he.</p>
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<p>1 A. Yes.</p> <p>2 Q. So you would agree with me that the Stop &amp;</p> <p>3 Shop receipt is the same as --</p> <p>4 A. It's the same bill, I save all my</p> <p>5 receipts.</p> <p>6 Q. -- Well, let's look at the second item on</p> <p>7 --</p> <p>8 A. And I check them off according to this and</p> <p>9 that's how that probably got in there.</p> <p>10 Q. -- Okay. Well, let's look at the second</p> <p>11 item on the credit card receipt. A purchase at WM</p> <p>12 Super Center, which I'm assuming is Wal-Mart Super</p> <p>13 Center?</p> <p>14 A. Yes.</p> <p>15 Q. On December 15th in the amount of \$21.88;</p> <p>16 do you see that?</p> <p>17 A. Yes.</p> <p>18 Q. Let's look at Bates 592. The middle</p> <p>19 receipt, Wal-Mart self check out receipt in the</p> <p>20 amount of \$21.88; do you see that?</p> <p>21 A. Yes.</p> <p>22 Q. And it's for the same date, December 15,</p> <p>23 2005; do you see that? The very bottom of the</p> <p>24 receipt?</p> <p>25 A. Yes.</p>	<p>1 A. He's a dachshund, miniature.</p> <p>2 Q. And you took -- did you have John Boy</p> <p>3 before Hurricane Katrina?</p> <p>4 A. Yes, I did.</p> <p>5 Q. And you took him with you when you</p> <p>6 evacuated to --</p> <p>7 A. Yes.</p> <p>8 Q. -- Alabama? And so, your husband's son</p> <p>9 took him to the vet and that's what's reflected in</p> <p>10 this receipt?</p> <p>11 MR. CARTER: Object to form.</p> <p>12 A. Jason, his son -- he swallowed a fishhook</p> <p>13 and it was an emergency deal and I didn't know where</p> <p>14 to take him. Because we hadn't been in Alabama that</p> <p>15 long. Jason is our son that lived up there and he</p> <p>16 had a dog. So I called him to see where he takes</p> <p>17 his dog so I could take mine for an emergency. And</p> <p>18 that's how come it got listed under his name.</p> <p>19 Q. Okay.</p> <p>20 A. Okay. And my husband and I took him</p> <p>21 together and got the fishhook taken out of his</p> <p>22 throat.</p> <p>23 Q. Now, are you claiming that Nationwide</p> <p>24 should be paying for your vet bills?</p> <p>25 A. No. That just got in that basket by</p>



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32 (Pages 122 to 125)

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<p>1 mistake and I didn't have time to filter through it</p> <p>2 all.</p> <p>3 Q. Let's look at Bates 627. On the right</p> <p>4 side of the page there's a Piggly Wiggly receipt.</p> <p>5 Did you shop at Piggly Wiggly?</p> <p>6 A. Sometimes, yes.</p> <p>7 Q. And the receipt lists -- it's kind of hard</p> <p>8 to make out, but I think, what it's Miller Best</p> <p>9 Light Beer; do you see that?</p> <p>10 A. Uh-huh (Affirmative Response).</p> <p>11 Q. For \$11.29?</p> <p>12 A. Yeah.</p> <p>13 Q. You agree with me that sometimes when you</p> <p>14 purchase alcohol they -- the clerk will require a</p> <p>15 photo identification or your date of birth?</p> <p>16 A. Right.</p> <p>17 Q. At the bottom of this receipt it says date</p> <p>18 of birth January 22, 1983; do you see that?</p> <p>19 A. Yeah.</p> <p>20 Q. That's not your date of birth is it?</p> <p>21 A. No.</p> <p>22 Q. That's not your husband's date of birth is</p> <p>23 it?</p> <p>24 A. No. That's just something the cashier</p> <p>25 just punched in to give it a good date to go.</p>	<p>1 Q. And again, it says age confirmed,</p> <p>2 11/11/1911?</p> <p>3 A. Again, same answer.</p> <p>4 Q. It's certainly not your birthday?</p> <p>5 A. No.</p> <p>6 Q. Not your husband's birthday?</p> <p>7 A. No.</p> <p>8 Q. So, you're still claiming this is your</p> <p>9 receipt?</p> <p>10 A. Yeah.</p> <p>11 Q. And the cashier just made up the birth</p> <p>12 date?</p> <p>13 A. Yes.</p> <p>14 Q. If you look at Politz Bates 638. There's</p> <p>15 a Rite Aid receipt on the right side of the page?</p> <p>16 A. Uh-huh (Affirmative Response).</p> <p>17 Q. And the date is February 18, 2006, you see</p> <p>18 that sort of at the top middle part of the receipt?</p> <p>19 A. Yeah.</p> <p>20 Q. And the items listed, there's one, two,</p> <p>21 three, four, five items listed and they each say</p> <p>22 scanned pharmacy?</p> <p>23 A. Uh-huh (Affirmative Response).</p> <p>24 Q. For a total of \$30 --</p> <p>25 A. Right.</p>
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<p>1 Because she looked at me and knew I was old enough</p> <p>2 to buy beer.</p> <p>3 Q. So you're still claiming that this is your</p> <p>4 receipt?</p> <p>5 A. Yeah, it's my receipt.</p> <p>6 Q. So you're claiming that the cash register</p> <p>7 made up a birth date?</p> <p>8 MR. CARTER: Object to form.</p> <p>9 A. I worked as a cashier, okay. And we were</p> <p>10 told if they don't have gray in their hair make them</p> <p>11 show it. Once they've got gray hair, you don't have</p> <p>12 to aggravate them by showing that. They're old</p> <p>13 enough. So yes, I never question them when they do</p> <p>14 because I know exactly what they're doing.</p> <p>15 Q. (By Mrs. Locke) Hopefully Natalie, who's</p> <p>16 the cashier at the top of the page, hopefully she</p> <p>17 won't get in trouble for that.</p> <p>18 MR. CARTER: Form.</p> <p>19 A. If that's the biggest thing she ever does</p> <p>20 wrong in her life she'll be all right.</p> <p>21 Q. (By Mrs. Locke) If you could look at</p> <p>22 Bates 634?</p> <p>23 A. Okay.</p> <p>24 Q. And this is a receipt for Michelob Ultra?</p> <p>25 A. Uh-huh (Affirmative Response).</p>	<p>1 Q. -- do you see that? And they each have</p> <p>2 prescriptions numbers by them; do you see that?</p> <p>3 A. Yes.</p> <p>4 Q. So you would agree with me that these are</p> <p>5 receipts for prescription medications, correct?</p> <p>6 A. Yes.</p> <p>7 Q. And we've already established that you're</p> <p>8 not claiming Nationwide is responsible --</p> <p>9 A. That's right. I thought y'all wanted</p> <p>10 receipts for everything and I just picked up the</p> <p>11 basket and took it. Everything that I had was in</p> <p>12 it.</p> <p>13 MR. CARTER: Mrs. Politz, if you could</p> <p>14 just watch when she's asking about stuff the,</p> <p>15 uh-huh, try to say yes or no.</p> <p>16 THE WITNESS: Okay.</p> <p>17 MR. CARTER: I know it's hard.</p> <p>18 THE WITNESS: I'm sorry.</p> <p>19 Q. (By Mrs. Locke) If you could turn to</p> <p>20 Bates 668. On the right-hand side of the page</p> <p>21 there's a Dollar General Store receipt for Long</p> <p>22 Beach, Mississippi; you see that? On page 668?</p> <p>23 A. Oh, excuse me. Dollar General, yes.</p> <p>24 Q. Again, just for the record, we are still</p> <p>25 looking at Defense Exhibit 223, Bates 668. The</p>



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33 (Pages 126 to 129)

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<p>1 bottom of the receipt there's a date of August 26, 2 2005; do you see that? 3 A. Yes. 4 Q. Again, this is before Hurricane Katrina, 5 correct? 6 A. It was in the basket. I come in and put 7 all of that in my basket. 8 Q. And so you're not claiming that Nationwide 9 is responsible for this receipt? 10 A. No, it's just in there. 11 Q. If you could turn to the very last page of 12 the document, Bates 712? 13 A. Okay. 14 Q. This is an AARP insurance bill, personal 15 automobile insurance. Is that who you have your 16 auto insurance coverage through? 17 A. Yes. 18 Q. And you -- if you look at the bill on the 19 column on the right, the third item down is 20 statement date, September 22, 2005; do you see that? 21 A. September 22? Oh, yeah. Uh-huh 22 (Affirmative Response). Yes, I'm sorry. 23 Q. So this would be right after Hurricane 24 Katrina? 25 A. Yes.</p>	<p>1 A. Yes. 2 Q. And that the lessor acknowledges receipt 3 of \$76. And then there was the process fee and a 4 January fee. And that all added up to -- 5 A. Yes. 6 Q. -- \$76; do you see that? 7 A. Yeah. 8 Q. How many months -- is it your 9 understanding that your rent was \$45 a month? 10 A. Yes. 11 Q. How many months did you have this storage 12 unit? 13 A. For the whole time I was in the FEMA 14 trailer, probably six or seven. If you notice this 15 was in January. That's when we came to get the FEMA 16 trailer from Alabama. 17 Q. Okay. And so the first month that you 18 paid would be January and then the last month would 19 have been July approximately? 20 A. Approximately. It may have been August, 21 because it took me a little time to get all the 22 stuff out and get organized. 23 Q. What kinds of items were you storing in 24 the warehouse? 25 VIDEOGRAPHER: Two minutes.</p>
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<p>1 Q. Are you claiming that Nationwide should be 2 paying your auto insurance bill? 3 A. No. 4 Q. Sorry, let me just turn back. Actually, 5 you can put that aside. I'm going to hand you 6 what's marked as Defense Exhibit 248. 7 8 (Exhibit 248 marked for identification.) 9 10 Q. Do you recognize this receipt? 11 A. Yes. I rented storage when I came back to 12 Mississippi to put some things that had been given 13 to me while I was in Mississippi by friends, people 14 who just wanted to help. And I didn't have a place 15 to store them when I came back because I was going 16 into a FEMA trailer. And so I rented this little 17 mini-warehouse to store it in until I could get a 18 home. 19 Q. And you're claiming that Nationwide should 20 reimburse you for the mini-warehouse storage? 21 A. Yes. Because if it wouldn't have been for 22 the storm I wouldn't have had the mini-warehouse. 23 Q. If you look at the top, sort of on the 24 right side of the page, you know, top right. It 25 talks about the fee per month is \$45?</p>	<p>1 A. Some lamps, odd and end dishes, towels. 2 Things that I couldn't put into the home that I 3 thought maybe I could use later in a home that 4 people had given me. 5 Q. What about any -- did you have furniture 6 in there as well? 7 A. I had one table and three chairs, I 8 believe. 9 MRS. LOCKE: Why don't we go ahead and 10 switch. 11 VIDEOGRAPHER: Off record at 11:55. End 12 of tape three. 13 14 (Off the record.) 15 16 VIDEOGRAPHER: Back on record at 12:04. 17 Starting tape four. 18 Q. (By Mrs. Locke) I'm going to hand you 19 what's been marked as Defense Exhibit 225. 20 21 (Exhibit 225 marked for identification.) 22 23 Q. This is another group of receipts that 24 your attorneys have provided to Nationwide. And 25 these were provided to Nationwide after the original</p>

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34 (Pages 130 to 133)

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<p>1 close of discovery in this case. Now flipping 2 through this, do you recognize these as receipts 3 that you would have provided to your attorney? 4 A. Yes. 5 Q. If you could turn to Bates 815 and 816. 6 A. Okay. 7 Q. Now, let's start at the receipt at the 8 bottom of 815 that's -- that you can barely see -- 9 A. 815, okay. 10 Q. Now receipts that are provided to 11 Nationwide in a format like this, you're not 12 expecting Nationwide to -- 13 A. No. 14 Q. -- try to make out something like that to 15 reimburse you, are you? 16 A. No. That was just in the basket with 17 receipts. 18 Q. Now let's look at the two receipts that 19 are legible on Politz815? 20 A. Okay. 21 Q. The one on the left-hand side of the page 22 is a receipt for 5.311 gallons totaling \$15.08; do 23 you see that at the bottom of the receipt? 24 A. I do. 25 Q. And the date of that receipt is June 19,</p>	<p>1 yes, whether they were used for Katrina or not. But 2 I'm saying all of these were not used for Katrina 3 gas and I don't expect Nationwide to pay for those. 4 Q. How -- if there are receipts in here that 5 you agree Nationwide is not responsible for paying, 6 what criteria should Nationwide use to establish 7 what we owe you and what we don't owe you? 8 MR. CARTER: Objection. 9 A. I didn't know they were going to use any 10 criteria, because they never would pay me anything. 11 MR. CARTER: Form and foundation. 12 Q. (By Mrs. Locke) I understand that you're 13 frustrated -- 14 A. Yes. 15 Q. -- with Nationwide. 16 A. Very. 17 Q. But how, if I'm sitting here today trying 18 to figure out, okay, we owe for this receipt, we 19 don't owe for this receipt. What should I do to 20 make that determination based on the hundreds of 21 pages of receipts we have here? 22 MR. CARTER: Same objections. 23 A. They can give me a copy of the book and I 24 would go through it and highlight it for them. 25 Q. (By Mrs. Locke) And that's something that</p>
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<p>1 2007; do you see that? Sort of in the middle top of 2 the receipt? 3 A. Yes, I do. 4 Q. Now, are you claiming that Nationwide 5 should be paying for your gas -- 6 A. No. 7 Q. -- in 2007? 8 MR. CARTER: Object to the extent it calls 9 for a legal conclusion. Go ahead. 10 A. That's just some receipts that got put in 11 the basket and I forgot they were even there and I 12 turned them into them. 13 Q. (By Mrs. Locke) So for how long after -- 14 are you claiming that Nationwide should be paying 15 for any of your gas? 16 MR. CARTER: Same objections. 17 A. Only the ones that I used back and forth 18 to tend to business from Alabama to Gulfport. 19 Q. (By Mrs. Locke) Now, I know that this is 20 tough, but are you able to identify in either 21 Defense Exhibit 225 or 223 which of those receipts 22 -- 23 A. I could if I took the time and looked 24 through them all and figured them out and the days 25 and the places and the times, I could identify them,</p>	<p>1 you're willing to do? 2 A. I am, but not in a short length of time. 3 If you want to do it, you got to give it to me. I'm 4 working, I'm a busy person and I need the time. And 5 I'd be willing to do it, yes. 6 Q. Let's look at Bates 910. Again, this is 7 of Defense Exhibit 225, Bates number 910. 8 A. Okay. 9 Q. Do you recognize this as a receipt that 10 you -- of yours? 11 A. Yes. 12 Q. Did you take a trip to Pensacola, Florida? 13 A. I never really took a trip there. I think 14 I might have stopped in Pensacola over night. I 15 took a trip to Florida at some point. 16 Q. The date on this receipt, if you look at 17 the top right side is October 9, 2007; do you see 18 that? 19 A. Yeah. 20 Q. Do you recall why you took this trip or 21 stopped here? 22 A. Because we were going a long ways. It was 23 a two day driving trip and we had to stop. 24 Q. What was the purpose of the trip? 25 A. We were going to visit one of our sons</p>

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<p>1 that lives in Tampa, Florida.</p> <p>2 Q. So, was the trip for family purposes?</p> <p>3 A. Yeah.</p> <p>4 Q. So you're not claiming that Nationwide</p> <p>5 should be paying for your hotel bill?</p> <p>6 A. No.</p> <p>7 Q. Let's look at Bates 963. This is a</p> <p>8 receipt from Marriott Sawgrass Resort; do you see</p> <p>9 that?</p> <p>10 A. Yes, I do.</p> <p>11 Q. And is this a receipt that is -- that's</p> <p>12 yours?</p> <p>13 A. Yes, it is.</p> <p>14 Q. And if you look at the top in the shaded</p> <p>15 box in the middle -- the top line of the shaded box</p> <p>16 in the middle of the top line, the date is June 13,</p> <p>17 2007; do you see that?</p> <p>18 A. Yes.</p> <p>19 Q. And this is the Sawgrass Resort is in</p> <p>20 Ponte Vedra; is that correct?</p> <p>21 A. Yeah. It was in Florida.</p> <p>22 Q. Ponte Vedra --</p> <p>23 A. Yeah. Yeah, Ponte Vedra.</p> <p>24 Q. And Ponte Vedra is over on Atlantic side,</p> <p>25 correct?</p>	<p>1 paying for restaurant receipts in 2007?</p> <p>2 A. No, not that one.</p> <p>3 Q. Similarly on page 928. On the left side</p> <p>4 of the page there's a receipt for the Fish Market</p> <p>5 Restaurant in Hoover, Alabama?</p> <p>6 A. 928? I remember that one. No, I'm not</p> <p>7 claiming that they need to pay that bill. That was</p> <p>8 a personal.</p> <p>9 Q. Let's turn then to Bates 1117?</p> <p>10 A. Okay.</p> <p>11 Q. It's a bill from Riddex Plus; do you see</p> <p>12 that?</p> <p>13 A. Yes.</p> <p>14 Q. And the date on the right side of the page</p> <p>15 is October 23, 2007; do you see that?</p> <p>16 A. Yes.</p> <p>17 Q. And Riddex Plus, you would agree with me</p> <p>18 is a pest control, correct?</p> <p>19 A. Correct.</p> <p>20 Q. So you're not claiming that Nationwide</p> <p>21 should be paying for your pest control in 2007, are</p> <p>22 you?</p> <p>23 A. No.</p> <p>24 Q. And if you could turn to Bates 1178. This</p> <p>25 is a Mississippi Power bill. Are you able -- if you</p>
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<p>1 A. Right.</p> <p>2 Q. Was this a vacation trip?</p> <p>3 A. It was a conference that my husband</p> <p>4 belonged to when he was working, and every year they</p> <p>5 hold it. And he's a past President of it, so he's</p> <p>6 invited to come and participate in it. And it's</p> <p>7 like an extended family over the years. We look</p> <p>8 forward to seeing these people once a year. And we</p> <p>9 couldn't go the first year after Katrina, but we did</p> <p>10 make it that one year.</p> <p>11 Q. And again, Nationwide wouldn't be</p> <p>12 responsible for --</p> <p>13 A. No. No. It's just in receipt box.</p> <p>14 Q. -- I'm going to ask you to flip backwards</p> <p>15 a little bit to Bates 927 on Defense Exhibit 225.</p> <p>16 On the right-hand side of the page there's a receipt</p> <p>17 for the amount of \$64.36; do you see that?</p> <p>18 A. On 920 -- oh, yeah.</p> <p>19 Q. And the receipt is for a dinner or a meal</p> <p>20 that was had at Bonefish Grill; do you see that?</p> <p>21 A. Yes.</p> <p>22 Q. And the date on the receipt is</p> <p>23 September 5, 2007?</p> <p>24 A. Yes.</p> <p>25 Q. Are you claiming that Nationwide should be</p>	<p>1 need to move the clip.</p> <p>2 A. Mississippi Power bill. I think I might</p> <p>3 have to move the clip to see that one.</p> <p>4 Q. Sorry about that. It's a big stack here.</p> <p>5 A. I'll just take your word.</p> <p>6 Q. You got it? Well, if you look, regardless</p> <p>7 of what type of bill it is. If you look at the</p> <p>8 middle of the page the dates -- well, if you look at</p> <p>9 the draft date on the top it's 9/13/2005; do you see</p> <p>10 that?</p> <p>11 A. Uh-huh (Affirmative Response). Yes.</p> <p>12 Q. And then in the middle of the page -- the</p> <p>13 middle of the page is residential all electric</p> <p>14 services from July 25th to August 23rd; do you see</p> <p>15 that?</p> <p>16 A. Yeah.</p> <p>17 Q. Again, this would be a pre-Katrina bill</p> <p>18 that you're not asking Nationwide to compensate you</p> <p>19 for?</p> <p>20 A. Well, I think some of that bill was before</p> <p>21 and part of it was after. It was a finalizing of</p> <p>22 the last bill after -- the first bill after Katrina.</p> <p>23 It was the finalizing of the last bill at that</p> <p>24 address.</p> <p>25 Q. What portion of this bill then is it your</p>

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<p>1 understanding is after Hurricane Katrina?</p> <p>2 A. Anything after August 29th is a portion.</p> <p>3 I mean, before was mine. Whatever. I'm really not</p> <p>4 expecting them to pay this one. It's a little hard</p> <p>5 to define that.</p> <p>6 Q. So you would agree with me that on both</p> <p>7 Defense Exhibit 223 and Defense Exhibit 225 we've</p> <p>8 looked at a lot of different examples of bills that</p> <p>9 you're not expecting Nationwide to pay for?</p> <p>10 A. You got a lot in here that I don't expect</p> <p>11 them to pay for, right.</p> <p>12 Q. And based on this submission, how should</p> <p>13 we determine which of these receipts we should</p> <p>14 consider and which receipts we should not consider?</p> <p>15 MR. CARTER: Objection to form,</p> <p>16 foundation, to the extent it calls for a legal</p> <p>17 conclusion. And the extent it asks her to tell</p> <p>18 Nationwide how to do its job.</p> <p>19 A. Repeat your question again please?</p> <p>20 Q. (By Mrs. Locke) Do you think it's fair to</p> <p>21 ask Nationwide to hold it to trying to figure out</p> <p>22 which of these receipts you're expecting us to pay?</p> <p>23 MR. CARTER: Same objections.</p> <p>24 A. I can go through that book and highlight</p> <p>25 what I expect them to pay and then you go over it</p>	<p>1 (Off the record.)</p> <p>2</p> <p>3 VIDEOGRAPHER: We're back on record at</p> <p>4 12:28.</p> <p>5 Q. (By Mrs. Locke) Mrs. Politz, I thank you</p> <p>6 for you patience. At this time I don't have any</p> <p>7 further questions for you.</p> <p>8 A. You're welcome.</p> <p>9</p> <p>10 EXAMINATION BY MR. CARTER:</p> <p>11 Q. I'm just going to ask you one for my own</p> <p>12 --</p> <p>13 A. Me?</p> <p>14 Q. -- peace of mind, because we talked about</p> <p>15 it many times before. Other than Dr. Greico, any</p> <p>16 other doctors in the world that you can think of</p> <p>17 other than the ones we've already told to them?</p> <p>18 A. No. And I would have turned him in if I</p> <p>19 had even thought about him. At the time he was a</p> <p>20 gynecologist, had nothing to do with my heart and</p> <p>21 all that. So I was just thinking the line of my</p> <p>22 primary physician and the doctors that I used for</p> <p>23 heart conditions and stuff. I was thinking more of</p> <p>24 that. And I'm sorry about Dr. Greico. I realize</p> <p>25 that that was like throwing a briar in there.</p>
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<p>1 again with me if you'd like.</p> <p>2 Q. But based on what we have before us, do</p> <p>3 you think it's fair for Nationwide to --</p> <p>4 A. To pay all of them in there? No.</p> <p>5 Q. Do you think it's fair for Nationwide to</p> <p>6 try and figure out what you're expecting us to pay.</p> <p>7 MR. CARTER: Same objections.</p> <p>8 A. I don't know what Nationwide's got on</p> <p>9 their mind.</p> <p>10 Q. (By Mrs. Locke) Do you think it's fair?</p> <p>11 MR. CARTER: Same objections.</p> <p>12 A. Sometimes.</p> <p>13 Q. (By Mrs. Locke) So you think that these</p> <p>14 hundreds of pages of receipts, many of which you've</p> <p>15 said as we sit here today that you're not expecting</p> <p>16 us to pay, yet have been submitted to Nationwide,</p> <p>17 you think it's fair for us to --</p> <p>18 A. I think if Nationwide using common sense</p> <p>19 they can look at it and tell the different of what</p> <p>20 need to pay and what they don't need to pay.</p> <p>21 MR. CARTER: Same objections.</p> <p>22 MRS. LOCKE: Okay. I'm going to take --</p> <p>23 let's go off the record for a second.</p> <p>24 VIDEOGRAPHER: Off record at 12:20.</p> <p>25</p>	<p>1 Q. That's all right. We understand you've</p> <p>2 been through a lot.</p> <p>3 A. Yeah. It's been stressful for a long</p> <p>4 time.</p> <p>5 Q. That's all I've got.</p> <p>6 A. Okay. I'll try not to throw another one</p> <p>7 on you.</p> <p>8 Q. Okay.</p> <p>9 VIDEOGRAPHER: We're going off record at</p> <p>10 12:29. This completes the deposition for today.</p> <p>11</p> <p>12 (Off the record at 12:29)</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

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